

WANTS TO OUST HENSZEY

S. P. Langdon Prefers Sensational Charges.

MISS KATIE K. WAITE

Accused of Withholding \$25,000 Worth of the Bonds—Langdon Institutes Proceedings Through Mr. Hinsdale in Federal Court.

Mr. Samuel P. Langdon, of Philadelphia, the former President of the Langdon Henszey coal company at Cummoek, N. C., has instituted proceedings in the Federal court to retire Mr. Henszey from the receivership of the mines. Mr. J. W. Hinsdale, who is Mr. Langdon's attorney, filed a number of papers with clerk N. J. Riddick this morning.

Mr. Langdon makes sensational charges against Mr. Henszey and also brings Miss Katie K. Waite in the case. Mr. Langdon's petition asking for the removal of Mr. Henszey is full of spole.

The other side promises to make the case even more interesting when they are heard from.

In his petition for the removal of Samuel A. Henszey from the receivership of the Cummoek coal mines, Samuel P. Langdon, one of the parties to that action, the owner of \$50,000 of the bonds of the defendant company and \$300,000 of its capital stock, represents:

First, that the receiver, Henszey, has never had any practical experience in the operations of coal mining, the mines at Cummoek being the only ones he was connected with.

Second, that when the Langdon-Henszey Coal Mining Company was organized, Henszey was made Vice-President and Treasurer on account of the interests which he represented, with the understanding that his duties should be confined to minor work.

Third, that Cobb Pendleton, the general agent and manager of the mines, employed by Henszey, is ignorant of coal mining and, therefore, incompetent.

Fourth, that through carelessness, said receiver failed to insure the mine fans, worth \$700, which were destroyed by fire in July; that the same has never been restored and the mines are not properly ventilated.

Fifth, that Henszey has failed to replace worn-out property and thereby cut down the tonnage of the mine one half.

Sixth, that while he has failed to furnish the necessary repairs, costing \$175, he has, during the first three months of his receivership, paid to himself, as appears by his August account, \$1,721.26, although he was allowed by the court the very liberal sum of \$300 per month only, which amounted to this time to \$975; and although he has paid to his typewriter and private secretary, Miss Katie K. Waite, \$277.27, for what, his account does not disclose.

Seventh, that your petitioner believes the mining operations have been carried on under management of the Receiver without regard for the future of the mines. That he has suspended the work of improvement in the mines in order to make the best showing possible.

Eighth, that said receiver has poorly stocked the Company's store with provisions, necessitating the miners going to inconvenient places for necessities of life; that there is now in the store only such articles as snuff and pepper and that this has caused dissatisfaction among the miners.

Ninth, that your petitioner is informed that said receiver has failed to pay the miners for a space of 3 or 4 months and that there is danger of the mine being entirely deprived of operators.

Tenth, that an affiant is informed and believes, it is well known in financial circles in New York, Philadelphia and Baltimore that the said Henszey has always been a failure, and that he never made a success of anything he has undertaken, and that as the petitioner is advised and

believes, this is the reason he has not been able to negotiate more of the receiver's certificates and that it will prevent him from further negotiating same.

Eleventh, that your petitioner is informed and believes, the said receiver has hypothecated or pledged such of the receiver's certificates as he has reported to have been negotiated, as collateral upon call or short loans, and that upon his failure to pay the same same, it is in the power of the holder of said collateral to sell them in the market for what they will bring, holding him as the receiver for the balance of the indebtedness, so that in such cases, the certificates will have been negotiated for less than face value and the interests in his hands will thereby be greatly prejudiced.

Twelfth, that said receiver is violating instructions of the court under which he was allowed to pay 2 1/2 per cent brokerage commission for negotiating the receiver's certificates by paying the 2 1/2 per cent commissions twice.

That said Henszey has not earned and should not be paid \$300 per month as receiver for services that are worthless and injurious to the company.

The petitioner avers that Samuel A. Henszey is unreliable. That he has acted in a faithless manner in regard to the issue of bonds of the Langdon, Henszey coal mining company. That in November '94 said company contracted to purchase from the Egypt coal company the plant in Chatham county which they have since operated. Mr. Langdon recites in his petition that the consideration to be paid for the property was \$100,000 of the capital stock, \$150,000 of first consolidated bonds of the new company, said company also to place in the hands of the mercantile trust and deposit company of Baltimore trustee \$50,000 of said bonds to be used in redeeming the bonds of the Egypt coal company then outstanding of the same aggregate amount and secured by a deed of trust. That in December '94 the new company executed \$350,000 of consolidated bonds. That the mercantile company of Baltimore retained \$50,000 of said bonds and the remaining \$300,000 were handed Sam A. Henszey, treasurer of the Langdon, Henszey company by the petitioner.

The petitioner states that Henszey was to pay the Egypt coal company \$150,000 of the bonds for property purchased and to hold \$50,000 to be delivered to President Langdon when he should have put the mines in moderating order and to hold the remaining \$100,000 subject to the order of the petitioner as president.

That the said Henszey delivered to the petitioner upon his order \$25,000 of the remaining \$150,000 bonds to be used as collateral.

That as your petitioner is informed and believes, of the remaining \$125,000 of said bonds, the said Henszey delivered to Miss Katie K. Waite, who has been for six years his typewriter and private secretary in Cummoek, N. C., \$50,000, the said bonds being the \$50,000 to which your petitioner was entitled under his contract with the said company, he having fulfilled his conditions.

That the delivery to said Miss Waite was without authority from your petitioner and without any valuable consideration from the said Miss Waite. That the said Miss Waite has since surrendered \$25,000 of these bonds upon demand, to your petitioner, and he has since taken legal steps to enforce the delivery to him of the remainder of them.

That said Henszey has represented to your petitioner by letter dated August 15, '96, that he has in the treasury of said company \$34,500 of said bonds. If this be so, your petitioner asserts that said Henszey has issued wrongfully, without authority, and for no consideration \$37,500 of said bonds. And upon information and belief, your petitioner says that said Henszey has issued the same to himself and his relatives and friends, some \$3,500 of said bonds being wrongfully issued to himself.

Mr. Langdon also institutes action through his attorney, Mr. J. W. Hinsdale, to force the Raleigh and Western Railroad to pay to the Langdon-Henszey Coal Mining Company some ten thousand dollars which he claims the railroad owes it. Mr. Langdon, in a petition, alleges that Mr. Henszey is an officer of both corporations and is therefore not disposed to enforce the claims of the mining company against the railroad company.

When the company went into the hands of a receiver, thirty thousand dollars worth of receiver's bonds were issued in order that the re-

ceiver could operate the property. These bonds take priority over all others. Mr. Langdon institutes another action to restrict the issuance of \$30,000 worth of receiver's bonds and instead issue only \$15,000. He files a petition setting forth that he has had great experience in mining and that he knows of his own knowledge that said Henszey has made misrepresentations in his petition for the issuance of receiver's certificates. Mr. Henszey figured the cost of operating the mines for 3 months at \$23,164. Mr. Langdon says it should be done for \$17,505. Mr. Langdon represents that \$15,000 worth of receiver's certificates are a sufficient amount with which the receiver should operate the mines, in addition to the \$10,000 due from the Raleigh and Western railroad.

Another petition is filed requesting that Miss Katie K. Waite be compelled to file the \$25,000 worth of bonds which Langdon claims as his own with the Master, Mr. E. C. Smith.

Judge Seymour yesterday signed an order making Langdon a party to the suit and referring the matter to Mr. E. Chambers Smith, master to take the evidence and make report upon the petition.

Miss Waite was restrained from disposing of or hypothecating the \$25,000 worth of bonds in question.

News Received Here that the Proposed Lease is Stopped Twenty Days—Issued by Judge Robinson at Instance of T. R. Purnell.

A startling and sensational turn in the proposed lease of the Atlantic and North Carolina Railroad, which was not taken into account by either of the parties to the bargain, developed today at New Bern, where the stockholders had assembled with the expressed purpose of taking the railroad from under the control of the State.

News was received here today that a temporary injunction had been granted by Judge Robison restraining the stockholders from making the lease. A temporary injunction is effective twenty days at the most.

It is rumored that Mr. Thomas R. Purnell's visit to the eastern part of the State the first of the week was for the purpose of taking out the injunction proceedings. Mr. Purnell is said to be acting for Mr. Robert Hancock, of Newbern, and a number of other stockholders.

CHAS. B. RAY THE MAN

Selected to Succeed Mr. Will Allen as Superintendent of County Institutions.

There is at present right much of a scramble among Wake Populists to secure Mr. Will Allen's position as Superintendent of the County Home and Work House.

But many of the faithful, and in fact all of them, except Charles B. Ray, Esq., are doomed to disappointment. It seems to be pretty well settled that Mr. Ray will receive the appointment at the hands of the new Board of Commissioners. Mr. John Smith, of Eagle Rock, Mr. Tony Green and others are applicants for the place.

The Republicans concede the office to the Populists, though if they did not the two Populists could out vote Mr. Ray.

Mr. Ray, the gentleman who seems to have the call for the position, is remembered as a candidate for the nomination of Register of Deeds against Joe Rogers in the Populist convention two years ago.

The present board of county commissioners has its farewell meeting next Monday. The new board will assume control of the county's affairs December 7th.

Election Called in Cary.

Mr. Dan H. Young, clerk of the Superior court of Wake county, has issued an order for another election in Cary township.

"It having been made to appear to me as clerk of the Superior court of Wake county, as provided in section 25, chapter 153, laws of 1895, that Larry B. Woodall and William M. Sorrell, candidates for the office of justice of peace in Cary township, Wake county, received an equal number of votes at the election held on Tuesday, November 3, 1896, and there is a tie in the vote for said office, it is hereby ordered that an election be held on Tuesday, November 24, 1896, in said township, to the end that such office may be filled by the electors residing and voting therein."

Sheriff-Elect Jones Arranges His Bond.

Mr. H. T. Jones, sheriff-elect of Wake county, has arranged his bond with the Fidelity and Deposit Company of Baltimore, Md. The sheriff's bond is \$100,000.

Ham has two offices on his hands at present, but he does not intend to be caught with both of them on his hands after taking the sheriff's office. Mr. Jones is a magistrate, but he will tender his resignation this week.

Died.

Jan. E. the thirteen year old son of Mr. and Mrs. A. D. Hullin, died at the home of his parents in this city at 11 o'clock yesterday morning. The funeral was held at the residence this afternoon at 2 o'clock, and was attended by a large number of friends and relatives.

INJUNCTION TAKEN

Restraining the A. & N. C. Stockholders.

TEMPORARY ONLY.

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Dr. and Mrs. Herbert Battle gave a small card party last evening. Their guests were Miss Saunders, of Richmond, Miss Pearce of Kentucky, Miss Minnie Tucker, Miss Lily Hoke, Miss Sophy Busbee, Miss Lullie Busbee, Mr. Howard Thomas, Mr. Sherwood Haywood, Mr. Henry King, Mr. Watkins Roberts and Mr. P. P. Haywood, Jr.

GIGANTIC FRAUDS.

A syndicate of Swindlers Reap Millions in the Southern States.

A New York dispatch tells a remarkable story concerning Thomas, Peters, and Conners two men arrested in the west for passing forged checks. They turn out to be important factors in a gigantic scheme to swindle which has been carried on for the past three years with wonderful success. It is closely estimated that the conspirators have received more than \$2,000,000 in cash by their schemes, a large portion of that amount coming from farmers in Georgia, Florida, Alabama, Tennessee and the Carolinas. The headquarters of the leaders of the conspiracy was at 20 Pine street, New York.

William E. Valentine, one of the conspirators, has made a confession. He reveals the facts that bring to surface a gigantic syndicate of robbers and a scheme that stands almost without a parallel in America's criminal annals.

More than a score of arrests will be made as soon as the police in various cities can catch the men they are after.

As a consequence of the acts of the swindling syndicate, the firm of J. H. Baker & Co., forwarding agents, No. 14 South street, is completely ruined, and Charles H. Abbott, the junior partner, is a fugitive from justice. J. H. Baker is left without a cent.

Several arrests have taken place and the prisoners are now in jail awaiting trial. It was suspected that the men were members of a gang when the arrests were made, but their full history was not known until Valentine made his confession.

In his confession Valentine says: I was led into this thing through Bough, and the money I got out of it would barely pay my living expenses. I first met Bough three or four years ago. At that time I was a building contractor, with offices at No. 189, Montague street, Brooklyn. Bough was introduced to me at the Material Exchange. I supposed him to be a wealthy property owner in Brooklyn. I did not see him again until late in the winter of '93; then I heard that he was a swindler.

Bough introduced me to McLaughlin. His real name is Charles McLaughlin, and his family were formerly very wealthy, and lived in Hempstead, L. I. I also met at the same time, James G. Wilson, but whom I knew as James G. Caverley. I failed about this time and Bough hunted me up. His office was then at No. 69, Wall street. He told me of schemes which he wanted me to aid him in. Chief among these was the disposal of the goods which were being shipped to J. H. Baker & Co. This firm succeeded the firm of Doherty Bro. & Co., who formerly did a big shipping business at No. 14, South street. They sold out to J. H. Baker & Co., Charles Abbott being the second member of the firm. I met Abbott at Bough's office. He wanted me to go out and sell lumber which was being consigned to the firm. 'This thing can only last three months,' they told me, 'and we must work quick.'

Their system of operation was very simple. Baker was merely a figurehead; Abbott was a lieutenant of Bough's. Abbott secured a rating in Bradstreet's of \$75,000 by claiming ownership of a large number of canal boats. These boats are stuck in the mud at Hoboken, and have been for years. They are so rotten that they would fall to pieces if any one tried to float them, and the whole lot is hardly worth more than \$5. With this rating Abbott wrote to lumber firms throughout the country, and secured from them large consignments of valuable timber. In payment for this he gave notes of the firm. The lumber was sold at less than cost and the money divided among the gang.

"While Abbott was running this firm, George J. Tragdis, another lieutenant of Bough, was the reputed head of a farm produce commission house at No. 162 Reade street. Tragdis had been a florist and owned a little property with which he secured a small rating in the mercantile agency. With him was Gallagher, who was thoroughly experienced in the produce business. They wrote to farmers and shippers all through the country, asking for consignments of goods. They gave as reference Baker & Co., the United States Land and Guarantee Company and the Standard Coal and Oil Company, all of which were Bough's schemes.

"On the strength of these references they received large consignments of butter and eggs and all

kinds of farm produce. The first shipment they paid promptly and in full. For the second they paid one-half. For all after that they paid nothing. In this way they obtained goods from thousands of farmers from all parts of the country, each man usually sending eight or ten consignments and getting pay for one and one-half; the balance of the money was divided, Bough and Tragdis getting most of it.

"In August the farmers stopped sending, and about the same time Baker & Co., could get no more lumber, so they commenced to buy anything they could lay their hands on, their rating in the commercial directory still giving them credit. In this way both firms bought hundreds of bicycles, thousands of dollars' worth of wine, clothing, jewelry, clocks and bicycle sundries. All of these they sold for any amount of cash they could get. They never paid for any of them.

SETTLE TO RETIRE.

Dr. Dalby Says So—Claims That he Will Have the Clear Road Next Time.

Dr. A. J. Dalby, the Populist candidate for Congress in the Fifth district, who was knocked off his crutches by the Guthrie tornado, was in the city this morning. Dr. Dalby is a small stout man afflicted with a several years growth of beard. He is tireless and energetic and is already talking of air castles for '98.

"How many votes did you get," was a question put to the doctor. "Some how or another they won't let me know. I come to Raleigh to see if I could find out."

"I'll tell you if I could have made three more speeches during the campaign I would have gotten twice as many votes as I did."

Just how the good doctor was going to manage this he did not state, but it has been suggested that he would have spoken to the voters of two counties at one time.

"If settle had come down," continued the doctor, "I would have defeated Kitchen by five or six thousand votes. Kitchen would not come down. But two years from now I will have a clear field and they can't beat me."

"Isn't Settle going to be a candidate?"

"No. He will get some big appointment and I don't think he will be a candidate again. That's Populist ground now."

"Of course you received nearly all the Populist votes cast in the district," Dr. Dalby was asked.

"No, sir, some of them voted for Kitchen, but they are sorry of it now. I got as many free silver republican votes as I did Populist votes. That was the cause of Settle's defeat."

PEARSON'S THE LARGEST

His Campaign Cost Him Over \$1000—All Statements Filed.

All the Congressmen and State officers recently elected have filed their statements of election expenditures with the Secretary of State.

Richmond Pearson filed his statement of election expenditures this morning. The campaign cost the Duke from the Ninth \$1,650.39. This is \$500 more than was expended by any other candidate in the State, according to the statements filed in the Secretary of State's office.

Mr. Pearson gave \$78 for flags; newspapers came in for \$60; W. H. Worth received a \$125 contribution for Republican-Populist ticket. Mr. Pearson's expenses incurred in travel, etc., were \$400.

Rev. Chas. Henry Martin gives his expense account at \$229.75.

Congressman-elect Kitchen spent \$435 in securing the election in the Fifth district.

A. F. Freeman, Bryan elector from the second district, is a novelty. He certifies in his statement of election expenditures that the campaign did not cost him a cent.

The Chrysanthemum Show.

This afternoon and tonight will bring to a close the chrysanthemum show at the old Y. M. C. A. building and the sale of the beautiful specimens on exhibition will take place tonight about 10 o'clock. There are certainly some choice specimens of the flowers there and the gentlemen should call and purchase a handsome cluster. Their lady friends will appreciate it. Delightful refreshments are being served by the ladies in charge, including ice cream, cake, brunswick stew, barbecue, etc., and these will be continued till a late hour tonight.

SHORT STATEMENTS.

Minor Matters Manipulated for the Many.

AROUND THE CITY.

Pot-Pouri of the News Pictured on Paper—Points and People Perpetually Picked and Pithily Put in Print.

Mr. Everett Betts has purchased Mambrino Girl from Mr. R. E. Crawford.

Dr. Sexton lost his very valuable horse last evening. The animal was taken suddenly ill.

Telephone subscribers will please add to their lists the following: Mrs J. B. Timberlake, residence, No. 257 B; Mrs. W. N. Pace, residence, No. 257 C.

Mr. A. J. Peterson, late of the firm of McClure & Peterson, has accepted a position with one of the railroads, passing through Raleigh, and will in a few days enter upon his duties as a machinist.

Messrs. Thos. H. Briggs & Sons will give away a Buck Junior Range, to the girl under fourteen years of age who will collect and carry to them the largest number of advertisements with the "Buck" trademark. Read their announcement in their new advertisement today.

Governor Carr has been invited by Governor Mitchell of Florida to be present at a meeting in Tampa, Fla., January 20th, of the Governors of the South Atlantic States to take action in regard to extending proper coast defenses. Governor Carr will be unable to be present in person owing to the fact that the change in administrations occurs soon after that date.

"A Night's Frolic" Tuesday.

"The comedy hit of the century." "Funnier than Jane." "Brighter than the Private Secretary." "A positive loss not to see it." "Perfectly presented and capitally played." These are criticisms of metropolitan critics' boiled down to single lines, on the Wilson-Thayer production of Augustus Thomas' comedy, "A Night's Frolic," which will be the attraction at the Academy of Music Tuesday night.

"A Night's Frolic" is made up of excruciatingly funny incidents, though the characters being at cross purposes. Each and every one of the ten characters are well marked, especially the dual role of the gay young widow and the gallant French officer, played by Miss Orient Anson, and are almost sufficient in themselves to make any play "go," but obtaining as they do full disclosure, "A Night's Frolic" becomes a laugh provoker of the highest type. Unlike most of the present day farces, "A night's Frolic" has a clear and well defined plot, and an interesting and comprehensive story, and its action is punctuated by merry intervals of song and dance, that grow out of the scenes and incidents of the play and are necessary to the complete exposition of the plot.

At Metropolitan Opera House.

Another large and appreciative audience greeted the Woodward-Warren Company at Metropolitan Opera House last night and everybody went away highly delighted with the performance as they have been every night this week. We know of no Company which has ever visited Raleigh for a week's engagement, which has made such a favorable impression upon the public and given such complete satisfaction and genuine amusement and entertainment. Mr. Woodward is a whole team in himself and his powers of comedy and humor rival in their irresistible vein of mirth the famed Sol Smith Russell. The Company will tonight present Colorado and those who fail to see this company before the close of the week at the low prices they give will make a great mistake.

The Norfolk Pilot Sold.

By Telegraph to the Press-Visitor.

NORFOLK, Va., Nov. 13.—The new Daily Pilot has been purchased by Messrs. A. H. Grandy and W. T. Barron, of this city. The policy of the paper, it is thought, will be unchanged, and it will continue as strongly Democratic as it has been since the nomination of Mr. Bryan and the declaration of the Democratic party in favor of free silver.