

THE FACTS IN THE CASE

STORY OF RUIZ'S IMPRISONMENT OFFICIALLY TOLD.

Kept 315 Hours in a Filthy Cell, Three by Five Feet, With a Stone Floor and no Window.

Washington, March 2.—Secretary Olney today responded to the Senate resolution calling for the correspondence in the Ruiz case by sending an abstract of the matter declining to send the full correspondence on the ground that "it would not be to the public interest."

The abstract furnished by the State Department, shows the following facts: That Ricardo Ruiz was a native-born Cuban, and came to this country during the progress of the Cuban insurrection, which terminated in 1878. He received his final papers as a naturalized citizen in January, 1880, in Philadelphia. Immediately after he returned to Cuba, he entered upon the practice of dentistry, married and reared a family, and has resided there peacefully and contentedly since. He was arrested February 4th, and thrown into prison on the charge of participation in the capture and robbery of a railroad train. His arrest was reported to this government by telegraph on the same day, and until the 17th, nothing more was heard of the case by the Department, which assumed that it was being attended to by the Consulate in the regular course; that at the end of seventy-two hours, the prisoner would either be put commuted or if not that a proper demand for such relief would be made; and that if such demand were made and were not successful, the Department would at once be notified. No measures of the sort were taken, however, though the prisoner remained uncommunicated, and on the 17th, the Consulate reported to the Department that Ruiz had been found dead in his cell under circumstances which justified and led to a demand for immediate investigation. The Consul-General reported that Ruiz was kept 315 hours in a small, closed and most filthy cell, three by five feet, having a rough stone floor, with no window and only a six-inch square opening in the door for the admission of food, which aperture was kept shut, except when used; that no one was allowed to see him; that he died from neglect and violence; that he became deranged; that an autopsy showed severe contusions on top of the head; that he died from congestion of the brain; that there was no fracture of the skull; that all knowledge was confined to officials, and it was difficult to ascertain the facts.

Secretary Olney then quotes the report of the acting Governor-General of Cuba to show that Ruiz was kept in a large roomy cell, lighted and ventilated; that he had an easy chair, and mattress, sheets, pillows, etc.; that a blow being heard in his room on the 15th, he was found very much excited with a contusion on the head, and was at once removed to a better room, where he could be more easily watched and placed under medical treatment; that on the 17th, he was found by an attendant in the act of butting his head against the grating of the door, and though quieted by the attendant, shortly after died; that an autopsy being held, the physician present concurred in the opinion that death ensued from cerebral congestion not induced by the wound on the head, which was superficial; and that the prisoner's treatment during confinement was most considerate and better than in the cases of other prisoners, an attendant going to his room whenever called for.

Secretary Olney says that the conclusions of the official representatives of the two governments being thus radically conflicting, another open and thorough investigation seemed to this government indispensable. In this view the Spanish government concurred, and a letter from Minister Delome is quoted bearing upon this case dated February 17th.

In this note Minister Delome says: "The Spanish government has ordered that a most thorough investigation be made in order to throw the light upon the facts so that if it appear therefrom that there has been culpability or negligence, all the weight of the law may fall upon the guilty. To this end, after receiving General Ahumada's telegram, the government ordered by cable that a judge be designated, who, in view of the facts charged and communicated by Mr. Taylor, United States Minister at Madrid, shall institute a judicial process in which all the circumstances shall be scrupulously and actively ascertained. His Majesty's government wishes, and to that end directs, that the Consul of the United States be invited to submit, if he so desires, any evidence which may assist in making the facts clear, and of which he may have knowledge, and also to take cognizance of the proceedings of the case. If the Consul of the United States desires to become a party to that end he will be afforded every facility he may need."

In this note Minister Delome calls attention to the failure of Ruiz to announce his citizenship upon the occasion of his arrest. In conclusion, the Minister says of the investigation about to be undertaken: "The government of His Majesty, in impartial vindication of justice and deference to pre-occupied public opinion in Spain, intends that the truth shall be known whatever be the nationality of Ruiz."

Continuing, Mr. Olney then says: "Until the results of the full investigation thus agreed upon by the two governments shall have been reached, what further steps should be taken in the matter by the United States cannot, of course, be determined. The inquiry should be set on foot and completed with all possible dispatch, and it would seem to be wise that the Consul-General of the United States should be provided with the best legal assistance available, not only in this country, but in Havana. Meanwhile and pending the proposed investigation which is not unlikely to excite local feeling and which should not be embarrassed or defeated by any forestalling or perverting of testimony—the publication of the correspondence on the subject between the department and the Consul-General at Havana would not seem to be in the public interest."

Referred to the Fifty-fifth Congress.

Washington, March 2.—Mr. Atwood, (Rep., Mass.) submitted to the House today the report of the committee appointed to investigate the alleged South Carolina election fraud. The committee unanimously agree in a statement that the question raised is of grave importance but on account of the inability of the present House to consider them they recommend that the matter be referred to the Fifty-fifth Congress for its consideration.

Let us Have Even-Handed Justice.

CHARLOTTE, N. C., March 1, 1897.

Editor Tribune. DEAR SIR—There was a leading editorial published in the Charlotte Observer Sunday morning, February 28th, claiming that a majority of the people of this city are opposed to the Police Commission bill for the government of this city now pending before the Legislature. I deny that the people of Charlotte are opposed to the Police Commission bill, but for the sake of argument let us admit that they are. What has that to do with the case? Does not everyone know that the object of the law is to cure fair play for the minority as well as the majority. Is it not a fact of recent history that Republican voters were arrested here and sent to jail by the score for a technical violation of the law while Democratic voters who were guilty of the same offence were never molested. Is it not a fact also, and I was an eye-witness to that fact, that two distinguished citizens of our State (one a U. S. Senator) were stoned here at a public meeting, while the police force of this city actually looked on and, it is asserted by some, abetted the mob in committing the outrage. And now people have the hardihood to stand up here in a civilized and free country, and say that we must not pass a law that will prevent such enormities being committed in the future. The majority, if there is a majority opposed to the bill (which I deny), has no right to deprive the minority—if this minority is only one individual—of his just rights under our governmental system, equality before the law. Let us have even handed justice, no matter who suffers by it, and let us pass laws which will secure this even-handed justice while we have the power to do so.

Gentlemen of the Republican and Populist parties, stand to your guns! Don't allow yourselves to be misled and blinded by the smoke of battle.

REPUBLICAN.

From Newsy Durham.

The Flora Stanford Company opened a week's engagement at the Opera House last night by the presentation of "A Soldier's Sweetheart." The house was packed and the play well acted. It would have met with universal approbation, but for the introduction of songs between the acts, which, to say the least, were not pleasant to the chaste minds of Southern ladies. This might have been all right in a large city North, where people have educated themselves as to how to tolerate vulgar and obscene insinuations on the stage, and it is a pity that the management of troupes will not learn to discriminate between the personnel of a Northern city audience and a Southern country one.

The County Commissioners held their regular monthly meeting yesterday and transacted a lot of routine business.

The Town Commissioners met last night and went through the monthly budget. Police reported \$150.30 collected in fines for February. A. H.

Women and the Prize Fight.

Atlanta Constitution. The Baltimore American is bitterly opposed to women attending the prize fight in Nevada, and treats the subject in anything else but a complacent mood. The American contends that the prize ring is no place for the gentler sex, and that instead of accepting the invitation held out to them by the managers of the prize fight in Nevada, the women of America should sternly refuse to lend countenance to the spectacle. Says the Baltimore American in dealing with this live subject: "The fact that a prize fight is not a fit exhibition for womanly eyes is one hardly needing demonstration. Were pugilism all that is claimed for it on the score of athletic science, still the inevitable surroundings of the ring are not such as to make the sport a fit or proper one for women. Women are the conservative element in a community. What is refined and sensitive in the public life is kept so by their standards. When those are lowered, then all public morality is lowered. Tastes that women do not suppress, men will never attempt to control. It is worse than useless for excuses to be made, either by or for women, for the indulgence of a taste like this; it is impossible to evade the fact that it is demoralizing to feminine refinement and modesty, and, logically, demoralizing to the general public. The American is right. Unless the humane civilization of this country is to be superseded by Spanish ruffianism, our women should abstain from giving encouragement to brutality."

By virtue of the authority contained in a mortgage deed executed to us on the 11th day of February, 1885, by Bryant Casey and Eliza Jane Casey, his wife, and duly registered in the Registrar's office of Johnston county, in book S. No. 4, pages 16, 17 and 18, I shall sell at public auction, for cash, at the courthouse door in the town of Smithfield, on the 5th day of April, 1897, the following real property to wit: That tract of land lying about four miles West of the town of Smithfield and in Smithfield Township, in the county of Johnston, and occupied in February, 1885, by said Bryant Casey and wife as a home and farm, bounded North by Burket Jones and Marion Johnson's lands, East by land of W. L. Johnson, South by land of W. L. Johnson and Benjamin Casey, and West by land of James Johnson and William Williams, containing one hundred and forty-three (143) acres, more or less; or so much thereof as may be necessary to satisfy amount now due on the bond secured by said mortgage deed, this 27th day of February, 1897.

The Trustees of the Rex Hospital, Mortgagees and Trustees.

P. T. Massey, Attorney.

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Coffee Importation.

Charleston, S. C., March 2.—The Norwegian bark Finnvid, Captain Taraldsen, arrived here from Santos to-day, with the first cargo of coffee consigned to the newly-organized Charleston Importing and Exporting Company. The cargo that arrived to-day has already been disposed of through the Southern States, and another cargo is on the way to this port for the company.

Honor to Bayard.

London, March 2.—The Lord Mayor of London gave a farewell banquet to Ambassador Bayard to-night.

THE TRIBUNE PUBLISHING CO.

Articles of Agreement, Certificate of Clerk and Letters Patent.

ARTICLES OF AGREEMENT. We, the undersigned, being desirous of engaging in the business hereinafter set forth and described, do hereby enter into articles of agreement for that purpose pursuant to chapter 16 of the Code of North Carolina, entitled "Corporations and Acts of the General Assembly of North Carolina amendatory thereof," that is to say:

I. The corporation name shall be the Tribune Publishing Company.

II. The business proposed shall be the publication of one or more newspapers, conducting the business of job printing and binding and carrying on such business as is usually done by printing and publishing companies.

III. The place where said business is proposed to be carried on is in Raleigh, North Carolina, and such other place or places for branch offices as the Board of Directors may determine.

IV. The length of time desired for the existence of said corporation is thirty years from and after the dates of these articles next entering.

V. The names of the persons who have subscribed for stock in said corporation are as follows, viz: C. M. Kenyon, C. J. Harris, F. M. Messler, J. B. Hill and their associates.

VI. The amount of the capital stock of said corporation shall be \$20,000 divided into 2,000 shares of the par value of \$10.00 each, with liberty to the stockholders to increase the amount of said capital stock from time to time, or at any time, to an amount not exceeding \$50,000, divided into a proportionate number of shares of the par value of ten dollars each.

VII. The said corporation may purchase or lease and hold all such real and personal and mixed property included in the business aforesaid and as necessary and useful for that purpose as the board of directors shall determine, and subscription for stock in said corporation may be paid wholly or in part by the purchase from the subscriber of property as such appraised valuation as may be agreed on between the board of directors and such subscriber.

VIII. The corporation subscribers of stock and stockholders of said corporation shall not be individually or personally responsible or liable for the debts, contracts, pecuniary obligations, engagements or torts of said corporation.

IX. The time and place of the first meeting of the corporators and subscribers for stock in said corporation for purpose of organization is hereby expressly waived.

X. The time and place of the first meeting of the corporators and subscribers for stock in said corporation for purpose of organization is hereby expressly waived.

Witness my hand and official seal this 16th day of January, 1897.

C. M. KENYON, F. M. MESSLER, J. B. HILL.

Subscribing witness: WILLIAM O. O'NEILL.

NORTH CAROLINA, WAKE COUNTY.

I, D. H. Young, Clerk of the Superior Court of Wake County, do hereby certify that the foregoing articles of agreement and plan of incorporation was this day proven before me, and the due execution thereof by C. M. Kenyon, F. M. Messler and J. B. Hill, the subscribers thereto, is proven by the oath of William O. O'Neill, the subscribing witness thereto. Therefore, let the same be recorded according to law.

Witness my hand and official seal this 16th day of January, 1897.

D. H. YOUNG, Clerk Superior Court.

No. 443. STATE OF NORTH CAROLINA. To all to whom these presents shall come: Greeting.

Know ye, That it appears from the certificate from the Clerk of the Superior Court of Wake County, that the following named persons, C. M. Kenyon, F. M. Messler and J. B. Hill, heretofore on the 6th day of January, 1897, signed and filed Articles of Agreement for the formation of a private corporation before said Clerk, and copy of said Articles of Agreement, duly certified by said Clerk under the seal of said Court, have been filed and recorded in this office, as prescribed in chapter 318 of Acts of 1893.

Now, Therefore, Under the power and authority vested in me by said chapter 318 of said Acts of 1893, I do hereby declare the persons signing said Articles of Agreement duly incorporated, under the name and style of the Tribune Publishing Company for the period of thirty years from and after the 16th day of January, 1897, for the purposes set forth in said Articles of Agreement, with all the powers, rights and liabilities conferred and imposed by law on such corporations.

Witness, my hand and the Great Seal of the State of North Carolina, at office in the City of Raleigh, this 19th day of January, in the 121st year of our Independence, and in the year of our Lord one thousand eight hundred and ninety-seven.

CYRUS THOMPSON, Secretary of State.

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