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DAILY

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THE TRIBUNE IS REPUBLICAN, BUT IT IS THE PEOPLE'S PAPER.

Second Edition

SENATOR PRITCHARD

Favoring North Carolina Productions in the Tariff Bill.

THE PRESIDENT IS BREAKING DOWN

IMPORUNATE OFFICE SEEKERS TOO MUCH FOR HIM.

Carlisle at Greensboro—North Carolina Postmasters—The Tar-Heel Contingent—Mr. Brower denies the Truth of an Article in a Raleigh Paper.

Washington, D. C., April 5.—Senator Pritchard gave notice today that he would offer the following amendment to the Dingley tariff bill: Removing from the free list ore as pyrites or sulphuret of iron in its natural state, and making it dutiable at \$2.25 per ton; removing emery ore from the free list and making it dutiable at 1½ cents per pound; also imposing a similar duty on empty grain, making all logs dutiable at the rate of \$2 per 1,000 feet; imposing a duty of 2 cents per pound on raw cotton; fixing a specific duty of 6 cents per pound on monazite, and instead of the ad valorem, as now provided, increasing the duty of kaolin from \$2 to \$3 per ton. The amendments were referred to the Finance Committee, and Senator Pritchard is confident that they will be adopted by the committee.

The President is blessed with a superb constitution, but, rugged as it is, he is on the point of prostration under the importunities of office seekers. He takes a brief vacation of three days, leaving here Wednesday for a cruise on Chesapeake bay. He does not go a day too soon. He shows signs of wear, if not collapse. His peculiarly pallid complexion now looks pasty. No President since Lincoln has been so accessible to "the plain people." He sent for Pritchard today to explain the inadvertence which caused the delay in sending Maj. Rollins' name to the Senate for postmaster at Asheville. The appointment was made today. The Senator was also informed that the appointment of Judge of the eastern district would not be made until the President's return.

Ex-Secretary Carlisle left here on the Florida special this afternoon for Greensboro. He will appear as the attorney of the Southern tomorrow in the injunction proceedings before Judge Simonton. Speaking briefly of the litigation to The Tribune, he said: "The legal questions involved are so obvious that it is impossible to doubt that the court will sustain the injunction. The precedents are abundant and unanswerable."

Moses W. Harshaw is recommended for postmaster at Lenoir, and the appointment will soon be made. The Postmaster General is a little puzzled over the Wadesboro and Laurinburg offices. Both offices were raised from fourth class to Presidential offices within the last year, and the question that troubles the department is, does the four-year tenure begin from the original appointment as fourth-class postmaster, or from the Presidential appointment. Speaking of the matter a day or two ago, the Attorney General was inclined to the opinion that the tenure of office dated from the original appointment.

The last contingent of visiting North Carolina Republicans, consisting of H. C. Dockery, who it is understood, is slated for marshal of the eastern district; Sheriff Smith, of Richmond, who was here in the interest of friends and the Republican party in the Pee Dee section; and State Senator C. Dockery, Hon. J. M. Brower and State Senator Whitbee, of Perquimmons, linger a while yet.

Dr. A. B. Alexander, Superintendent

of the Eastern Insane Asylum, is here urging the appointment of Mr. O. Newberry for Collector of the port at Eden-ton.

Col. Lee Overman, of Salisbury, is here on legal business. He returns tonight, and expects to be at Greensboro tomorrow. He is interested as a director in the Southern injunction proceedings at that place before Judge Simonton.

The attention of Hon. J. M. Brower being called to a Washington "special" printed in a Raleigh paper referring to him, said the publication was not only unwarranted, but was destitute of even a color of truth. The publication was made, he thinks, to injure him, and is a despicable species of intentional lying.

Presidential Nominations.

Washington, April 5.—The President to-day sent to the Senate the following nominations:

A. E. Buck, of Georgia, to be Minister to Japan.

James Boyle, of Ohio, Consul at Liverpool.

E. S. Day, of Connecticut, Consul at Bradford, England.

F. R. McCreery, of Michigan, Secretary of the legation at the city of Mexico.

To be United States attorneys: W. S. Reese, Jr., of Alabama, for the Middle district of Alabama.

E. A. Angier, of Georgia, Northern district of Georgia.

Marion Erwin, of Georgia, Southern district of Georgia.

RAILWAY INJUNCTION SUIT

INVOLVING NUMEROUS PARTIES AND IMPORTANT INTERESTS.

Brilliant Array of Counsel—The Most Interesting Legal Battle Ever Fought in the State.

Special to The Tribune.

Greensboro, N. C., April 5. In the United States Circuit Court, before Judge Simonton tomorrow, the argument will begin in the case of the Southern Railway Company vs. Governor Russell, Attorney General Walker and the President and Directors of the North Carolina Railroad. The matter is in the form of a bill in equity praying that the several parties defendant may be restrained from bringing suit in the State courts to annul the ninety-nine year lease of the North Carolina Railroad to the Southern Railway. Upon the reading of the bill before Judge Simonton at the recent sitting of the Circuit Court at Lynchburg, Va., a temporary restraining order was issued against the defendants and the case was set down for hearing in this city tomorrow. At the same time, and probably in the same connection, the suit of the Central Trust Company of New York vs. The Southern Railway and the North Carolina Railroad will be argued. In this suit, as in the other, the defendants are under a restraining order. The object of this suit is to enjoin the defendants from engaging in litigation or from doing anything calculated to impair or destroy the value of the plaintiff's securities, it being the guarantor of the bonds of the Southern Railway.

An important side issue that is expected to rise concerns the respective rights of the old and new State Directors of the North Carolina Railroad. The old directors, who made the lease and who were in office at the time the suit was begun, have employed counsel to answer for them. The new directors, who were appointed by Governor Russell to succeed the former board, it is expected, will ask to be made parties and be permitted to answer. Incidentally the question may be raised whether the removal of the old board and the appointment of the new was legal.

A large and brilliant array of counsel is here, representing the various interests concerned in the suits. The contest will be one of the most interesting legal battles ever fought in North Carolina, and the consequence of the result will be far reaching, whichever way the decision of the court may go. It is expected that the argument will be concluded in two days, though it may continue longer.

The suit of Tucker vs. the Governor and others in regard to the Atlantic and North Carolina Railroad will most likely be heard immediately after the conclusion of the argument in the other cases. Except as to the authority of Federal courts to enjoin the officers of a State from performing certain acts, the questions involved in this case are entirely different from the others, as the constitutionality of the two acts of the General Assembly is to be decided.

The regular spring term of the United States district court, Judge Dick presiding, will convene this morning. There is the usual number of cases against internal revenue offenders to be tried.

CUBA IN THE SENATE

President Instructed to Protest Against Violation of the

RULES OF CIVILIZED WARFARE

PERSONALITIES USED BY SENATORS IN DEBATE.

To Investigate Discharge of Colored Employees—Bill to Abolish Competition in Trade and Production.

Washington, April 5.—The resolution offered by Mr. Allen (Pop., Neb.), on Thursday last, in regard to drum-head court-martial on General Rivera, in Cuba, precipitated quite an animated Cuban debate in the Senate. Mr. Allen's resolution declared it to be the duty of the United States to protest against this violation of the laws of civilized warfare.

Mr. Hoar (Rep., Mass.) declared that the whole resolution was founded on rumor, misunderstanding and prophecy; that the Senator from Nebraska had no facts to go upon except newspaper rumors.

Mr. Allen retorted, with some bitterness, that in the four years he had sat in the Senate he had never once been able to introduce a resolution which had met the approval of the senior member from Massachusetts. For his own part, he felt so strongly on this matter that he would "grind into a million infinitesimal bits the hearts of the brutal Spaniards" unless they relaxed their cruel treatment of the Cubans. And yet, because he expressed his views in true western style, and not in the conservative manner of Massachusetts, in the judgment of the senior Senator from that State, he (Mr. Allen) had acted under the impulse of a heated imagination.

Mr. Hale (Rep., Maine) moved that the resolution be referred to the Committee on Foreign Relations.

Mr. Morgan endeavored to draw from Mr. Hale an admission that there was a state of war existing in Cuba, but Mr. Hale declined to acknowledge that there was more than a guerilla fight and great devastation of property, with accompanying loss of life.

Mr. Gallinger (Rep., N. H.) infused more gall into the debate by a satirical attack upon Mr. Hoar who, he said, had disposed of this whole question by a wave of his hand, apparently supposing that any utterance of his embodied the views of all the other members of the Republican side of this chamber. Mr. Gallinger proceeded to dispel this view.

Referring to Mr. Hoar's statement in a previous debate that the first Cuban revolution in President Grant's time, would have been successful, but for the intemperate resolutions introduced in the Senate, Mr. Gallinger read from the Record to show that the first of those "intemperate resolutions," which now disturbed the virtuous heart of the senior Senator from Massachusetts, proceeded from the distinguished Senator from Ohio, John Sherman, now the Secretary of State of a Republican administration and peculiarly charged with the conduct of Spanish relations at the present time.

Mr. Hoar replied that the Senator, who had just spoken seemed to think the proper way to promote liberty in Cuba was to suppress freedom of speech in the United States Senate, and to pervert, misrepresent and abuse the opinions of other Senators who differed from him. He (Mr. Hoar) declined to follow that lead, but would content himself with justifying by facts the opinions he had expressed, even though that should compel him to part company with his "sweet and delectable friend from New Hampshire."

Mr. Stewart (Pop., Nev.) at the whispered suggestion of Mr. Allen, who crossed the floor for that purpose, called the ayes and noes on the question of referring the resolution to the Committee on Foreign Relations.

The motion to refer was lost: Ayes, 21; noes, 27. Two suggested amendments of phraseology were adopted by Mr. Allen, and the resolution was adopted by a vote of 44 ayes and no noes.

The resolution as modified and adopted is in these words: "Whereas information has come to the Senate that General Ruiz Rivera, a leader of the Cuban army of independence, recently captured by the Spanish forces, is to be tried by a drum-head court-martial and shot. Therefore,

"Resolved, That in the judgment of the Senate, it is the duty of the President of the United States if such information is found to be true, to protest to the Spanish government against such a violation of the rules of civilized warfare."

As the morning hour had expired, Mr. Morgan's resolution extending belated rights to both Spain and Cuba, offered last Thursday, went over till to-morrow.

Mr. Elkins (Rep., W. Va.) addressed the Senate in support of his bill to allow a rebate of ten per cent on customs duties in favor of merchandise imported in vessels of the United States.

Mr. Lindsay (Dem., Ky.) addressed the Senate in favor of the bankruptcy bill.

A joint resolution was introduced by Mr. Bate (Dem., Tenn.), and was passed unanimously, authorizing the President to direct the Surgeon-General of the Marine Hospital Bureau to distribute

all available supplies of tents, blankets, food and medicine, and to purchase such further supplies as may be necessary for the relief of the sufferers by the Mississippi floods.

The Senate adopted a resolution, offered some time ago, instructing the Committee on Civil Service and Recruitment to investigate the case of the discharge of employees from the Bureau of animal industry in South Omaha, Nebraska, for mere political reasons; and also one offered to-day for a like investigation of the dismissal of eighty-five colored persons from the Bureau of Engraving and printing, in Washington for no other cause than that of color.

A bill was introduced by Mr. Chandler (Rep., N. H.), "Abolishing competition in trade and productions, and authorizing combinations to enable merchants, manufacturers and producers of commodities, subject to Interstate Commerce, to maintain prices and make profits notwithstanding business depressions." He explained that he had no intention of urging its passage unless in the case of the passage of the bill to allow railroad pooling. It was characterized by Mr. Allen (Pop., Neb.), as "The rankest kind of Populism;" and Mr. Allen added that "in the palmy days of Populism no man was ever wild enough nor long-haired enough to introduce a bill of that kind."

The resolution was antagonized by Senators Hoar (Rep., Mass.) and Hale (Rep., Maine). It was finally adopted by a unanimous vote, after it had been so modified as to be less objectionable in form.

A brief executive session was held, and when the doors were re-opened the Senate at 6 P. M. adjourned until to-morrow.

A HEAVY FREIGHT TRAIN

BREAKS THROUGH A TRESTLE AND KILLS ONE MAN

And Fatally Injures Another—Complete Blockade and Traffic Suspended—A Great Heap of Iron and Coal.

Pittsburg, Pa., April 5.—About 6:15 this morning a Pennsylvania railroad freight train, crossing the Ohio river, connecting bridge, broke through the trestle at Hanover street, near McClure avenue, lower Allegheny City, and fell to the street below. The train consisted of an engine and fifteen cars loaded with coal and iron. The cars fell on top of the engine, completely blocking the street. The firemen was taken dead, and the engineer is so badly hurt that he will probably die.

The wrecked train is piled across the street in a great heap of broken timber, twisted iron and tons of coal. The Pittsburg, Allegheny and Manchester Electric road is blocked, and the street is impassable. Telephone and telegraph lines were carried down.

The names of the killed and injured are:

Charles Haggerty, fireman, instantly killed; he resides at Emon, Pa.; was twenty-eight years of age, and unmarried.

William E. Graham, engineer; was scalded by escaping steam, and was taken to St. John's Hospital, in a dying condition.

About 150 feet of the trestle was destroyed. The responsibility for the accident has not been fixed.

Exciting Ball Game.

Newport News, Va., April 5.—The Baltimore National League team played the first of a series of three practice games with the Newport News Club this afternoon. It was evident from the work of the Orioles that they are getting in good trim for the coming season.

Score: R. H. E.
Baltimore, 0 0 2 2 0 0 3 0 0—7 9 2
Newport News 0 2 0 0 0 0 0 0—2 7 7
Batteries: Nops, Hoffer and Clarke; Host and Magee.

The Injured Captain.

Washington, April 5.—The condition of Capt. B. F. Day, of the navy, who was so seriously injured Saturday evening by falling down two flights of stairs at the Hotel Varum, that he was at first thought to be fatally injured, is much improved today. He is suffering with a broken right thigh, bruised limb and injured chest, but the physicians at the Naval Hospital, to which he was taken at his own request, said there was every reason to believe he would entirely recover.

Issue of Silver Dollars.

Washington, April 5.—The issue of standard silver dollars from the mints and treasury offices for the week ended April 3 was \$384,600; and for the corresponding period last year was \$316,399. The shipment of fractional silver coin for the month of March was \$747,200; for the corresponding period last year was \$688,244, and from April 1 to 3 aggregated \$105,949.

Weyler Instructed.

Madrid, April 5.—The government has cabled Capt.-Gen. Weyler, instructing him to introduce into the administration of affairs in Cuba the reforms which the cabinet recently agreed to institute in that island.

The Epoca, a semi-official organ, says that negotiations for the restoration of peace in Cuba are in progress, with every prospect of successful conclusion.

More Rivers Break Loose.

Louisville, Ky., April 5.—Heavy rains in the mountains have caused the Big Sandy and Kentucky rivers to overflow their banks and sweep away all repairs to the damage inflicted by the recent flood. Harlan, Perry, Bell and Letcher counties report heavy losses, and farmers will be unable to plant for a month. The situation is equally as bad across the line in Tennessee.

THE FLOODED DISTRICTS

Official Reports of the Conditions Prevailing.

UNPARALLELED LOSSES REPORTED

RIISING AT SOME POINTS, FALLING AT OTHERS.

Moderate to Heavy Rains—Tennessee and Cumberland Rivers Rising Rapidly—Lower Mississippi Receding.

Washington, April 5.—The following reports have been received from the Department of Agriculture Weather Bureau officials in charge of the river districts:

St. Louis, April 5.—River at St. Louis will rise slowly, commencing on Tuesday. Rise will be slower than rise in the Missouri indicates, on account of spreading over bottom lands north of city. Little change in upper Mississippi. Light rise from Davenport to Keokuk, and slight fall south of Hannibal. With dry weather no danger at St. Louis for four days at least.

Chicago, Ill., April 5.—River fallen three tenths of a foot since Sunday morning; will continue falling until Tuesday night.

Memphis, Tenn., April 5.—The crevasse at Flower Lake, which opened yesterday, is the most serious yet reported. Now there is nothing to prevent a general extension of the flood throughout the region south of Tunica county, over Coahoma, Quitman, Tallahatchie and Sunflower counties. The region affected is the most fertile in the delta. The Arkansas levees about Helena are fast going to pieces, causing a rapid decline in the main river. Situation about Memphis unchanged.

Helena, Ark., April 5.—Levee broke in many places. River fell 16 inches since breaks in levees. Backwater rising in city, but an effort is being made to keep out by pumping.

Vicksburg, Miss., April 5.—River about stationary here. Water from crevasse at Flower Lake, Miss., below Austin, will reach the Yazoo through Cold Water and Sun Flower rivers, causing considerable damage. Water from crevasse on Arkansas side reported near Helena yesterday will reach the Mississippi through the White and Arkansas. Work on levees below Vicksburg being pushed.

New Orleans, April 5.—Conditions unchanged; slight rises from Natchez to Donaldsonville, and slight fall at New Orleans. Levees continue to withstand the flood at all points below Vicksburg, but work continues all along the line preparing for the higher water anticipated.

Moderate to heavy rains fell during the past twenty-four hours in the water sheds of the Cumberland, Tennessee and Ohio rivers, and light rains in the basins of the upper Mississippi and upper Missouri.

The Tennessee and Cumberland rivers have risen rapidly since yesterday, and the Missouri and upper Mississippi slightly. The lower Mississippi has remained nearly stationary except at Helena, Ark., where it has fallen about a foot, due to the numerous breaks in the levees near that place.

NOMINATIONS CONFIRMED.

Andrew D. White Ambassador to Germany—Wm. F. Draper Goes to Rome.

Washington, April 5.—The Senate today confirmed the following nominations:

Andrew D. White, of New York, to be Ambassador to Germany.

William F. Draper, of Mass., Ambassador to Italy.

Samuel L. Greacey, of Mass., Consul at Fuchau, China.

Oliver L. Spaulding, of Michigan, and William B. Howell, of New Jersey, to be Assistant Secretaries of the Treasury.

Jacob Trieber, to be United States Attorney, and Henry M. Cooper, United States Marshal for the Eastern district of Arkansas.

Lieutenant J. C. Colwell has been selected to fill the important position of Naval Attaché to the Embassy at London. He will be detached from his present duty in the office of Naval Intelligence, and sail with Ambassador Hay by steamer of April 14th.

Found in the River—A Probable Murder.

Special to The Tribune.

Asheville, N. C., April 5.—A man was found in French Broad river, near Alexander, about 10 miles north of Asheville, Friday, and it developed at the Coroner's inquest yesterday that he had been murdered. His head bore evidence of foul play.

He was about middle aged and well dressed.

No clue has as yet been found to his identity.

Mrs. Fitzhugh Lee at Home.

Quarantine, S. I., April 5.—Mrs. Fitzhugh Lee, wife of the Consul General at Havana, arrived this morning on the Ward Line steamer City of Washington from Havana. It is Mrs. Lee's intention to proceed to her home in Richmond. She was accompanied by her daughter, Miss N. Lee.

WILMINGTON'S NEW OFFICIALS.

Schnibben Elected, Despite Governor Russell's Opposition.

Special to The Tribune.

Wilmington, N. C., April 5.—The following officers are among those elected by the Board of Aldermen to-day: Chief of Police J. R. Melton, Chief of Fire Department Charles Schnibben, Assistant Chief of Fire Department J. A. Brown. All policemen were re-elected with the exception of eight men. After eight ballots for City Clerk and Treasurer (Fred B. Rice and W. H. Strouthers, nominees), neither was elected. Six votes were necessary to elect them. Rice received four; Strouthers 3, on all ballots but one. Election of that officer is deferred till May 3d. Election of City Attorney also comes up on that date. Governor Russell worked against Schnibben, but in vain. Strouthers was also the Governor's nominee. Rice is confident of ultimate victory.

President E. A. Alderman, of the State University, was tendered a public reception in Abbie Chadbourn Hall to-night. A large crowd attended.

H. W. P.

Goes Over to October Term.

Washington, April 5.—The motion of the Solicitor General to advance for a speedy hearing the case of the Joint Traffic Association, appealed by the United States from the judgment of the Court of Appeals for the second circuit, in favor of the association was granted to-day by the Supreme Court, but the hearing was fixed for the second Monday of next term. This will carry the case over until October, of this year.

MR. CLARK HOWELL SUCCEEDS

CAPTAIN EVAN P. HOWELL AS EDITOR OF THE ATLANTA CONSTITUTION.

There Will be no Change in the Policy of the Paper in Consequence of the Change.

Atlanta, Ga., April 5.—At a meeting of the directors of the Constitution Publishing Company to-day, Mr. Clark Howell was elected as editor of the Constitution and put in full control of the policy, and the news features of the paper—Mr. W. A. Hemphill being elected president and business manager of the company.

The change was brought about by the withdrawal from the company of Captain Evan P. Howell, who sold his one-fourth interest in the company to Mr. Hugh T. Inman, of Atlanta, and who retires for rest after having been for twenty years editor of the paper, and president of the company. Mr. Clark Howell, who succeeds Captain Howell as editor of the paper, has since the death of the late Henry W. Grady, who he succeeded seven years ago, been managing editor of the paper. There will be no change in the policy of the paper, which will continue to support the present regular organization of the Democratic party—Mr. Clark Howell being Democratic National Committeeman from Georgia, and ex-Speaker of the Georgia House of Representatives. He is thirty-three years of age.

GOLDSBORO ITEMS.

Death of Prominent Citizen—Death From an Axe-Handle.

Special to The Tribune.

Goldsboro, N. C., April 5.—The death of Mr. Thomas M. Head, constable of Goldsboro township, occurred at his home on John street yesterday afternoon at 5 o'clock after an illness of about three months. Mr. Head was well known throughout the country, and highly esteemed by all. He was at one time a police officer of the city, which place he filled with credit. He was about fifty years of age and leaves a wife and four children to mourn his sad demise. A brave Confederate soldier, a loving husband and kind father. He will be sadly missed by all.

Slover Bryant, a colored magistrate of this city, has been appointed watchman at the A. and N. C. warehouse to succeed Mr. H. E. Perkins.

Mr. A. P. Holland, the only original "Dock," who is well known throughout the State for his witty and humorous sayings, and a life-long Republican, left this afternoon to superintend the convict camp at Castle-Hayne, which position was tendered him by Mr. John R. Smith.

Dr. James D. Spicer, a prominent young physician of this city, breathed his last at the home of his father, Dr. J. D. Spicer, in this city, to-day at 12:05 o'clock. His death was not unexpected, as he had been for some time a sufferer from that fatal disease, consumption. Dr. Spicer gained an enviable reputation as a surgeon a short while after he graduated in medicine, and was, up to the time his health began to decline, one of the most prominent physicians in the city, and enjoyed a lucrative practice. He was in the thirty-fifth year of his age. Dr. Spicer was at one time located in Georgia, where he distinguished himself as a learned physician. The funeral will be held from the home to-morrow evening at 4 o'clock.

News reached this city to-day that Mr. D. P. Steward, a former employee of the Goldsboro furniture factory, was in a critical condition at Marion, resulting from blows on the head from an axe-handle, in the hands of a prominent young man of that place, who has fled the town. No cause has been assigned for the rash act. G. W. B.