

SALISBURY EVENING SUN

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SALISBURY, N. C., WEDNESDAY EVENING, SEPTEMBER 6, 1905.

TWO CENTS

ENVOYS FIX SIGNATURES

Ceremony of Signing Devoid of All Formality

Document Now Only Awaits Ratification by Nicholas and Mutsuhito

Portsmouth, N. H., Sept. 6.—The peace treaty was signed at 3:47 p. m. yesterday. Mr. Witte was the first to affix his signature.

The treaty was signed, simultaneously by the Russia and Japanese plenipotentiaries. Mr. Witte and Baron Komura signed at the same time, one of each of which were afterwards exchanged between the two plenipotentiaries, Baron de Rosen and Mr. Takahira followed, signing in the same way.

A salute from the navy yard signified the signing of the treaty.

The last hour before the signing was spent in making a final reading of the treaty.

As soon as the firing of a salute of eighteen guns was heard all the church bells at Newcastle and Kittery and Portsmouth were rung as a sign of joy for about ten minutes, while flags were hoisted and general satisfaction was manifested.

All Was in Readiness

All was in readiness for the signature of the peace treaty. The engrossers were up most of the night putting the finishing touches on the great paper. This morning the members of both missions were busy prior to their departure.

Mr. Witte and Baron Komura having expressed a desire to thank the five midshipmen who have served as boat officers on the launches that have taken the members of both missions from their hotel to the navy yard, these officers called by appointment to-day to pay their respects. At 11 o'clock, Midshipman Leary, Bagley, Ingersoll, Blackburn and Harrington called on Mr. Witte and Baron de Rosen who thanked them for their services and left their good wishes for their future career.

Mr. Witte took occasion to express his admiration for the American navy. Half an hour later the officers called on Baron Komura and Mr. Takahira, where they received an equal cordial welcome, Baron Komura expressing officially his thanks for the services they have rendered his mission. These officers were specially selected from the battleships of the North Atlantic fleet and ordered to Portsmouth for duty in connection with the conference.

Mr. Witte and Baron de Rosen called officially on Governor McC Lane to-day and thanked him for the many courtesies they had received at his hands during the conference. Mr. Witte said he could say in the name of the emperor that his majesty was a true friend of the United States and on his return to Russia Mr. Witte said he would tell the emperor of the hearty greeting the Russian plenipotentiaries had received everywhere.

WIN FIRST PRIZE

Faith Millstones Win First Prize at St. Louis Exposition

Mr. J. T. Wyatt, of Faith, received the following letter to-day:
Dear Sir:—Please find herewith a diploma of the award conferred upon you by the Superior Jury of the Awards Connected with the Louisiana Purchase Exposition of 1904. Very truly yours,

WALTER B. STEVENS,
Secretary of Exposition Co.
J. H. MCGIBBONS,
Secretary of Superior Jury.

The above diploma is a large and beautiful one, and is for a pair of millstones sent to the exposition by Mr. Wyatt last year; a large medal will soon follow this diploma, as soon as they are ready to be sent out. The medals are now being struck off at the government mint in Philadelphia.

CHARGED WITH MURDER

Chain of Circumstantial Evidence Against F. E. James

Asheville, N. C., Sept. 6.—Police Captain Taylor and Patrolman James this afternoon placed F. E. James under arrest at his home near the passenger depot, charging him with the murder of James Dougherty, on the night of August 27. When arrested, James denied any knowledge of the killing and declared he was an innocent man. He was taken to the city hall. The preliminary hearing is set for tomorrow morning at 9 o'clock.

Dougherty was found dead by James Monday morning, August 28. It was first thought that his death was due to natural causes. An autopsy, however, revealed the fact that his head had been crushed by some blunt instrument. James and his wife testified before the coroner that they heard noises during the night, but paid no attention to them. Several coincidences and a portion of James' testimony at the inquest led the officers to suspect him as the murderer, and the officers went to work on the case with the result that a strong chain of circumstantial evidence has been secured. Dougherty was James' brother-in-law.

GRADED SCHOOL OPENS LARGE ENROLLMENT

New Drinking Water System Installed. Enrollment Will Reach One Thousand Mark

The Salisbury Graded School reopened this morning with an unusually large enrollment for the first day. 750 have registered and 150 more are expected tomorrow.

By the end of next week the enrollment will reach the one thousand mark. Superintendent Griffin urges all children that expect to attend to enter before the 14th as no new classes will be made up after that time. Only a short time was spent at school to-day. After being properly classed and arrangements for books made, the children were dismissed at 10:45. Regular work will be begun tomorrow.

The following are the teachers for the ensuing school year:

High School: Miss Susie Saunders of Washington, N. C., Mr. H. C. Reid of Charlotte, N. C., Mr. C. E. Betts, of Salisbury, Mr. J. F. Webb, of Crisp.

Grammar School: Miss Flora Chapman, of Anderson, S. C., Misses Sadie Klutz, Eleanor Watson, Jennie Sullivan and Salome Wilson of Salisbury.

Fifth Grade: Miss Sathelle Boyd, of Barium Springs, N. C., Misses Annie Rabe and Eugenia Harris, of Salisbury.

Fourth Grade: Misses Jessie Lawrence and Johnnie Coit, of Salisbury.

Third Grade: Misses Sadie Davis and Lottie Eagle, of Salisbury.

Second Grade: Misses Annie Kizer and Edna McCubbins, of Salisbury, Miss Ellen Ogburn, of Greensboro.

First Grade: Miss Mittle Lewis, of Goldsboro, Miss Nella Watson, of Henderson, Miss Maud Tillman, of Laurens, S. C., Mr. T. E. Johnston, of Salisbury. Physical Director Miss Marion Mallett, of Fayetteville.

A new drinking water system has been instituted at the school. The system is original and will prove a good one. City water will be used instead of well water. This passes through a boiler, which is submerged in a well, and up through pipes to spigots, of which there are twelve in this way the boiler of city water is kept at the same temperature as the well water.

Won the Gold Watch

The gold watch given by the Retail Clerk's Union, for the holder of the most union purchase tickets, was awarded to Master Clyde Livengood. He had collected 1,996 tickets.

HEARING OF McCOWN CASE

Durham's Ex-Mayor Heard by Supreme Court in Habeas Corpus Proceedings

Raleigh, N. C., Sept. 6.—The Supreme court, with a full bench sitting, heard the argument in the McCown contempt case; the argument beginning at 10 o'clock and continuing until 12:30. W. A. Guthrie, of counsel for McCown, opened the argument, in the presence of a very large audience, which filled the court room and which embraced lawyers from various parts of the State. His contention was that the legislature had prescribed the offences which might be punished for contempt, and that the act by McCown toward Judge Ward, which is complained of, is not included in the legislative lists of such acts, and that therefore Judge Ward had no right to imprison him or confine him for contempt.

Solicitor Brooks followed, on behalf of Judge Ward and the State, contending that the courts are one of the co-ordinate branches of the government and that under the constitution had the inherent right to protect and defend their honor and their officers from assault and disrespect; that the existence of the courts depended upon the respect of the people and that a court which did not exercise this constitutionally given right of self-defense through its laws and protect its dignity was unworthy of respect and could not hope to maintain it before the people; that the Supreme courts of the United States and of every other State where this question has been raised, have held the courts of record, such as the North Carolina Superior courts, created by the constitution, have the natural right of self protection, and to punish offences tending to degrade the officers thereof without regard to any legislative limitation; that not being created by the legislature, no legislature can regulate such courts. In conclusion, Solicitor Brooks said that this assault upon Judge Ward involved the worst feature of contempt against a court; that his honor, Judge Ward, now presiding over Alamance court, bears upon its face the evidence of an assault, and it is exposed to the public gaze; blows inflicted on account of the faithful performance of a duty and borne without resentment, less the judge might violate the law, whose majesty he was seeking to uphold; that if disappointed litigants can wreak vengeance upon the person of the presiding judge with impunity, and the people are told that the courts have no law to protect themselves against personal insults, while off the bench, then well may the sheriff's say in adjoining courts: "God save the State and this honorable court." Courts of justice ought to be like a pure woman, who would allow no man or set of men to prescribe her code of honor or direct the manner in which she should defend and preserve the same.

Attorney General Gilmer spoke strongly for the State, reviewing at length the authorities from different States, in such cases, holding that acts of contempt against the the Superior court, created by the constitution are, and ought to be determined solely by the court itself, and cannot be restricted to acts alone designated by legislative enactments. He showed that these decisions were numerous and all to the same effect. The doctrine of self-defense by a judge is held to be that, as regards the individual.

Major Guthrie made a concluding and able argument for McCown, elaborating the positions he had taken in his opening argument, contending that the court had in the cases of in re. Schencke, in re Moore, and others held that the act of the legislature enumerating what should be

SIX NEW CASES AT VICKSBURG

Worst Day's Record Since Invasion by the Disease—Bad State of Affairs in Adjacent Louisiana Parish

Vicksburg, Miss., Sept. 6.—With 6 new cases of yellow fever up to 6 p. m., yesterday's record was the worst since the disease made its appearance here. Of the new cases, 5 are white, one of them a prominent lawyer. They are widely scattered, almost every section of the city apparently being infected. So far there has been no deaths and no one is seriously ill.

Reports from Tallulah, Madison parish, Louisiana, 18 miles west of this city, reports a serious state of affairs there, where eighteen to twenty cases of yellow fever have appeared within the last few days. A. T. Lane, secretary of the fifth Louisiana district levee board, died to-day and several others are critically ill. A week ago Dr. Krauss gave the town a clean bill of health, but the fever re-appeared there last Saturday.

GOV. TO TENNESSEE

Will Attend Conference of Southern Governors and Wants a Southern Industrial Parliament

Governor Glenn has received a letter from Governor John I. Cox, of Tennessee, asking him to meet with other Southern governors for a Southern conference on matters pertaining to immigration quarantine, and other essential matters affecting the South, the conference to be held in Chattanooga, in November.

Governor Glenn has accepted the invitation and in reply stated that it was his opinion that there should be established a regular Industrial Parliament to meet in various parts of the South annually, this to discuss and to arrange to regulate such matters as affect the South. He asked Governor Cox to take the matter up with the other Southern governors.

A WORDY ENGAGEMENT

Yesterday afternoon's Winston Sentinel says:

A gentleman who came in from Greensboro this afternoon reported that Congressman Spencer Blackburn and Assistant District Attorney A. H. Price participated in a wordy spat in the lobby of one of Greensboro's hotels Monday night. The two office holders, while of the same political faith, are not the best of friends and those who heard the discussion were thoroughly convinced of this fact. Some of the bystanders expected a fistfight, but it was averted.

COTTON GROWERS MEET

Asheville, N. C., Sept. 5.—The first session of the Southern Cotton Growers' Association will be held tomorrow morning at 10 o'clock. It was expected that the first session would be held to-day, but the delegates are slow in arriving. President Jordan and Secretary Cheatham arrived this afternoon. Theodore Price is here and Brown of New Orleans is expected.

acts of contempt was constitutional, and the court ought not at this late hour over turn this established rule of decision.

A charter is granted the United Church Benevolent Society of Raleigh, a colored organization of which J. E. Hamlin and others are members and which is intended to aid widows and orphans.

(Special to the Sun.)

Raleigh, N. C., Sept. 6.—The Supreme court immediately upon opening to-day orally announced that it affirmed the order of Judge Ward of the Superior court in sending Ex-Mayor Moses McCown of Durham to jail for thirty days and fining him \$200 for assaulting and striking Judge Ward, Saturday night, and that a written opinion would be filed later. The decision was fully expected and universally approved.

TARTAR BANDS SPREAD DEATH

In Caucasus Whole Southeastern Section Terrorized

Baku Is Tronged With Refugees. Fierce Battles Fought in Streets of Sushu

St. Petersburg, Sept. 6.—A dispatch from Tiflis, received to-day, says:

"The whole of the Southeastern Caucasus is now terrorized by Tartars. Refugees are pouring in here from Baku, Elizabetopol and Shusha.

"Details from Shashu show that several engagements were fought between Tartars and Armenians behind regular positions and that a considerable part of the town was soon in flames.

"According to an official estimate more than two hundred houses were destroyed."

Oil Works Set Afire

Baku, Sept. 6.—Troops under the direction of the governor are acting with the utmost vigor, but they have not succeeded in securing order, although there is rather less firing. Armed rioters to-day attacked the oil works, in the suburbs of Balakhan, and after a hot fight set fire to them.

Tartar bands are scouring the country, murdering and pillaging.

The country is in a state of wild panic and houses and farms are being abandoned.

The famine in many parts of the country renders the situation here terrible.

No Details from Kishneff

St. Petersburg, Sept. 6.—Complete details of the affair of Kishneff yesterday are still lacking. The number of dead remains to be established. The number of persons injured is given in one dispatch as twenty-six and forty-six slightly wounded.

The government authorities have no further information than is contained in the press telegrams of last night, and no explanation is furnished of the reasons necessitating the intervention of the troops, though an official of the ministry of the interior conjectured that so large the interior conjectured that so large without some attempt on the part of hot-heads to create disorder.

More Troops Called Out

Constantinople, Sept. 6.—Four more battalions of Redifs have been called out to join the 3d army corps because of the hostile attitude of the Albanians in certain districts of Albania, and the activity of insurgent bands, especially Greeks in Macedonia.

CARRUTHERS GET NEW TRIAL

During the trial of the Carruthers, charged with conspiracy, Mr. Bennett, their attorney, made a motion for arrest of judgment in the first trial for secret assault, because the bill of indictment did not contain the word "feloniously." The court ordered a new trial, because of this defect in the bill.

Refreshments at Crescent

Refreshments will be served by the Ladies Aid and Missionary Society, of Bethany Reformed church at Crescent, next Saturday evening, Sept. 9, 1905. A lively time expected. Everybody come.

Daily Concert Postponed to 14th. The following telegram explains itself:

"Rev. J. E. Gay, Spencer, N. C.: Chautauqua won't let us off. Postpone to the fourteenth."

"J. E. DAILEY,
Charlotte, N. C."

Do you suffer with indigestion, constipation, feel lean and cross, no strength or appetite? Hollister's Rocky Mountain Tea will make you well and keep you well. 35 cents, Tea or Tablets.

JAMES PLUMMER.

NOTES AND PERSONALS

The Movements of Your Friends Recorded.

Mr. John E. Ramsay returned this morning from Kinston, N. C.

Mr. J. C. Hall, of Atlanta, is visiting at the home of Mr. H. T. Sprinkle.

Mrs. E. J. West, of Atlanta, is visiting relatives and friends in Salisbury.

Mr. J. Jacobs, crack quarter back on the University football team spent last night in Salisbury.

Misses Georgia and Lizzie Miles, of Danville, Va., are visiting Miss Mamie Hatley, at Spencer.

Mrs. W. H. Overman returned last night from Alexander's, Western, N. C., where she spent the summer.

Messrs. John Bernhardt, Leonard Henderson and John Morgan left yesterday for Raleigh to attend the A. & M. College.

Miss Ethel Thomas, who has been spending some time in and around Norfolk, Va., returned to Salisbury last night.

Mr. Otho Barringer, of Mt. Pleasant, passed through Salisbury this morning enroute to Newton to enter Catawba College.

Mr. J. R. Young, State insurance commissioner, passed through here this morning, returning from Charlotte to Raleigh.

Miss Louise Cobb, of Charlotte, who has been visiting Miss Genevieve and Hortense Rouche, returns home tonight.

Mr. C. H. Lumsden, of Roanoke, Va., a fine watchmaker and repairer, has just been employed by Messrs. Gorman & Green, of this city.

Mr. and Mrs. E. L. Royall, of New Bern, N. C., who have been visiting Mr. Royall's brother, Mr. Gabe Royall, returned home this afternoon.

Mr. W. H. Dowd has been transferred from the jewelry store of Gorman & Green to Spencer to their store in this city. Mr. C. G. Thieling, has been transferred to the Spencer store.

Mr. I. E. Kidd, who has been in the employ of the Southern Railway at Spencer as a coppermith for sometime, left last night for Pine Bluff, Ark., where he will work for the St. Louis and Southwestern Railway.

Mr. Wade H. Harris, editor of the Charlotte Chronicle, was in the city this morning going to Asheville to attend the 2d annual convention of the Southern Cotton Growers.

Mr. Demont Roseman, who has been telegraphing in Goldsboro for the last three months, returned to Salisbury last night to attend the Salisbury High School.

Mr. James Keegan O'Connor, a city court judge of Utica, N. Y., and Great Sachem of the Red Men of that city, was in Salisbury this morning, on his way to Nashville, Tennessee to attend the annual convention of Red Men.

Prominent Citizen of Duplin County Thrown from His Horse

Warsaw, N. C., Sept. 6.—Mr. Ell Lanier, a prominent and highly esteemed citizen who resided near Chinquapin, Duplin county, was thrown from his horse while fox hunting early Saturday morning and was instantly killed. A large number of relatives and friends gathered at his home Sunday evening where the last sad rites were performed.

KILLED WHILE FOX HUNTING

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WEATHER FORECAST

For North Carolina, the ensuing 24 hours: fair tonight and Thursday.

Hollister's Rocky Mountain Tea never fails to tone the stomach, regulate the kidneys, stimulate the liver and cleanse the blood. A great tonic and a muscle producing remedy. 35 cents Tea or Tablets.

JAMES PLUMMER.

Tailor-made clothes at the price of ready-made ones at Grimes' Wednesday.