

THE TIMES-VISITOR.

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ALGER SAYS THE ATTACK IS ON

Will try and Force Surrender
Without a General Assault.

SAMPSON AND SCHLEY MUST HAVE CLASHED

The Acting Rear Admiral Pre-
vented Schley Cabling to
the Home Government
--Colon to be Raised

WASHINGTON, July 11.—While nothing definite has been received here giving account of today's bombardment there is a feeling of certainty among War Department officials that the attack on the city of Santiago is taking place. On this point there is but one opinion and every one is anxiously awaiting details of the engagement or some definite word from General Shafter or Admiral Sampson.

Secretary Alger announced this morning that it was not the intention of the army to make an assault but to bombard the city and try in that way to force General Toral to surrender.

The plan is to have a continuous firing kept up all day. The guns are to send as great an amount of shot and shell as possible into the city and scatter it in the manner that will prove most disastrous and accomplish the desired surrender earliest. During the firing the American lines are to be greatly strengthened, so as to prevent any attempt by sorties by General Toral. Such a course as that mapped out will prevent the large loss of life that would ultimately follow an assault. Secretary Alger states that it is absolutely certain that the bombardment will take place.

MORRO'S DANGER FLAG.

AQUADORES, July 10, via Playa del Este, July 11.—Admiral Sampson's ships threw shells into Santiago all the afternoon. It had been arranged for simultaneous firing by the ships and also land artillery beginning at 4 o'clock, but heavy storm interfered with the telephone and signal work between the army and navy. However, at 4:45 the rumble of artillery on the American lines was heard and followed by the Brooklyn opening fire, followed by the Texas and Indiana. The firing lasted an hour. It is impossible to estimate the damage as the hills obstructed the view. Shortly after Brooklyn opened fire a danger flag was displayed above Morro Castle. American loss is slight, Spanish unknown. The general fight is expected tomorrow.

CAMARA COALING.

PORT SAID, July 11.—The Spanish cruiser Carlos V. and ten Spanish transports remained outside the port this morning waiting for Admiral Camara, who, with the battleship Pelayo, was expected to leave within a few hours. Camara was allowed to transship six hundred tons of coal from the San Augustin on a written guarantee that the Pelayo needed it and also that the entire squadron was returning to Spain.

GOLD ON HIS HIP.

NEW YORK, July 11.—A thief caught in the Essay office here with a lump of gold weighing one hundred and ninety-eight pennyweights in his pocket. He was arraigned on suspicion of larceny, but the charge could not be proved.

HOSPITAL TRAIN WRECKED.

WASHINGTON, July 11.—The Hospital train en route from Tampa to Atlanta, bearing the wounded troops from Santiago, was wrecked at the Highlands this morning in a rear end collision. No injuries are reported.

SIBONEY, July 8, via PORT ANTONIO, July 11.—FRICTION BETWEEN ACTING REAR ADMIRAL SAMPSON AND COMMODORE SCHLEY IS BREWING MORE INTENSE DAILY. IT REACHED THE CLIMAX ON THE DAY OF THE NAVAL BATTLE OFF SANTIAGO. AS SOON AS THE COLON HAD BEEN BEACHED, COMMODORE SCHLEY SIGNALED TO THE FLAGSHIP: "I CLAIM THE CAPTURE." ON THE SAME EVENING HE SENT AN OFFICER ASHORE TO CABLE THE HOME GOVERNMENT A REPORT OF THE CAPTURE. SAMPSON HEARING OF THIS SENT AN OFFICER ASHORE AND ABSOLUTELY PROHIBITED THE SENDING OF ANY MESSAGE SAVE HIS OWN. SAMPSON HAS CABLED FOR WRECKERS TO RAISE THE COLON.

THE NUISANCE.

At Little Yates' Pond Can be Abated by County Superintendent of Health. Much comment has been made about danger to Raleigh's water supply by the pond on Walnut creek, known as Little Yates' pond. The property is not owned by the water company and said company does not use it and has no control over it; but said pond and dam is supposed to be owned and maintained by Mr. L. D. Castleberry. If such danger exists and if said pond is a nuisance, the law makes it plain that it is the duty of the County Superintendent of Health to abate the nuisance by having the dam torn down. The "act to police and protect the water shed of Walnut creek, etc." (Laws 1887, chapter 380) provides as follows: "Section 2. That it shall be unlawful for any person to erect, establish or maintain upon the water shed of Walnut creek or any tributary thereof above the said Raleigh and Fayetteville road, any establishment, contrivance or works, the effect of which in its operations or use shall be deleterious to the water of said Walnut creek or tributaries above the point named, and any such establishment, contrivance and works is hereby declared to be a public nuisance.

"Section 3. It shall be the duty of the Superintendent of Health of Wake county to exercise due surveillance over the water shed mentioned in the preceding section, and to abate the nuisance therein declared and forbidden in the manner provided by existing laws."

An the "act relating to the Board of Health (Laws 1888, chapter 237, section 10, and public Laws 1893, chapter 214, section 22) prescribes: "Whenever and wherever a nuisance upon premises shall exist, which, in the opinion of the County Superintendent of Health is dangerous to the public health, it shall be his duty to notify in writing the parties occupying the premises (or the owner if the premises are not occupied) of its existence, its character and the means of abating it. Upon this notification the parties shall proceed to abate the nuisance; but failing to do this shall be adjudged guilty of a misdemeanor and shall pay a fine of \$100 a day, dating from 24 hours after the notification has been served. The amounts so collected to be turned over to the county treasurer."

The foregoing statutes provide a remedy, and if the evil exists let the remedy be applied by the County Superintendent of Health, whose duty is plain in such cases.

In the list of men who have been conspicuous for their daring in the present war, the name of Lieutenant-Commander Wainwright must hold a conspicuous place.—Atlanta Journal.

A SAD DAY AT CAMP

Services Over the Two Dead
Soldiers

BOTH TAKEN HOME

Captain Osborne's Talk Before the Asheville Company as their Dead Comrade Was Borne Away—A Good Man and Fine Soldier.

Today has been a sad day at Camp Russell and the white flag over the hospital and the regimental flag of the post were both at half mast. The camp was restless last night. The news of the deaths of two comrades cast a gloom over the little white tented city, and those who had known the men most intimately told of the lives led since they tendered their services to the nation.

Early in the morning, long before dawn came, Captain Cooper's mountaineers broke camp, and under his command, kept step to the beat of the muffled drums as they marched to Floral Hall for the remains of their departed comrade. Then the march to town began and leading the procession the soldier boys sadly wended their way to town.

Two soldiers lay dead in the Floral Hall and both were from the west. Both were true hearted fellows, with good records, and their friends were numerous.

Private Abel, of Co. L, Nantahala, had been sick for several weeks and had been given all the medical attention possible. He had a brother in the hospital and another had come from home to be at his bedside, so every thing had been done for his comfort. He died from meningitis.

On the early train at 4 o'clock the boys put their comrade's body on the train and then silently and with saddened hearts turned backward.

The morning passed with no commotion at camp and not until 10 o'clock was there sign of further life at the camp.

Captain Wagner's men from Asheville, were ordered out.

They were soon gathered in the cold, bare hall where Chaplain Osborne stood before the casket in which were the remains of Private Roper.

In single file Captain Wagner's men had entered the building from the east entrance and the men took seats on the railings before the fair display apartments. There was no sign of comfort and the bleak bareness of the room made the scene the sadder and was like the life of dreariness and roughness that the soldier leads.

There were present at the funeral services Major Cotten and Mr. Van Horn, of the Y. M. C. A., and Chaplain Osborne's words were addressed to friends and comrades of the dead soldier.

The casket was plain, but on it those good women, who, through that best of organizations, the Ladies' Soldiers Aid Society, have done much for the comfort of the men at camp, had placed a handsome floral offering. Chaplain Osborne talked of the Private's life as he had learned it from others and exhorted with his men to improve their talents and make themselves better by their daily acts. He paid a high tribute to the dead soldier, saying that though in the position of a private he held the respect and confidence of every man—a good man—a fine soldier.

At 2:30 the company again assembled and for the second time the depot was crowded with heavy hearted men bearing the body of a departed friend.

MONEY FROM THE WRECK.

OFF SANTIAGO, July 11.—Nothing has been done with the Spanish killed in the naval battle. Some are floating in the currents, others beached and some are on board hulks of Cervera's ships. The bodies of the gunners still lie in their own ashes. Much coin has been recovered from the wreck of the Teresa, the Spanish flagship. There has been turned over to Admiral Sampson over thirty thousand silver pesos which have been found.

AMERICAN SHIP DAMAGED.

WASHINGTON, July 11.—A cablegram from General Shafter was received this morning stating that the bombardment at Santiago would begin today. Yesterday's attack only a preliminary artillery skirmish. Other messages have been received, undoubtedly containing the details of yesterday's skirmish, but nothing has been given out by the department. It is reported on good authority, however, that an American ship was badly damaged by a shot from a Spanish battery.

CAPITAL CLUB.

There will be an adjourned meeting held in the reading room of the Capital Club Monday night, July 11th, 1898, at 8:30 o'clock. All members are requested to be present.

FROM THE CAPITAL

Word from Our Washington Correspondent

PROGRESS OF THE WAR

The Adjournment of Congress and What that Body Did—Aftermath of the Record Making Session Just Closed—Forecast of War Plans.

Washington, July 11.

It must have been noticed by all observant readers of war news that the victories scheduled for in advance have invariably failed to be pulled off on schedule time, and that our greatest victories, such as the destruction of the Spanish fleets at Santiago and at Manila, have not been handicapped by advance notices. This was especially true of the Santiago affair. That the postponements in taking that town were caused by orders resulting from Spanish trickery is more than probable, although it is constantly—too constantly, in fact—reiterated by those attached to the administration, that Mr. McKinley has issued no orders about the movement on Santiago, since it was begun, except that instructing Gen. Shafter not to accept the surrender of the Spaniards except unconditionally. The Spaniards across the Atlantic are trying to create the impression that they are on the eve of suing for peace, and they are succeeding too, with some persons high in authority, and thereby hangs some of the delays which have so aggravated those who believed that the quickest way to secure peace was to lick the Spaniards as fast as we could get at them.

Although that bluff about sending a fleet to Spain has accomplished its purpose and turned Camara's fleet back towards home, it is still being kept up, and the departure of the fleet promised in a few days. Still, knowing ones would be glad to make wagers on big odds that the fleet never starts.

Gen. Miles has gone to Santiago. He did not carry his private car with its porcelain bath tub, but has his headquarters on a floating palace, the elegant passenger steamer Grande Duchesse, which has been stocked with a large supply of the choicest and best eatables and drinkables. His headquarters will remain on the steamer during the campaign against Porto Rico, of which he will take personal command.

Very few Senators and Representatives remain in Washington. The most of the latter have gone to their districts to look after their "fences," while the former, as a rule, have gone in search of cooler places. The Senate left quite a number of small military nominations—mostly captains and lieutenants—unacted upon, as well as a lot of nominations to civil offices. Some were not acted upon because of lack of time, but most of them were hung up because of objection to them by some Senator.

The announcement of the Democratic Senators that their constitutional objections to the House bill allowing volunteer soldiers in camp to vote for Congressmen were such that they would feel justified in resorting to any sort of tactics to prevent the bill being passed by the Senate, was sufficient to prevent any serious attempt being made to take the bill up previous to adjournment. Just to find out whether the Democrats meant business, Senator Burrows asked for unanimous consent to vote upon the bill, a few minutes before adjournment, and the storm of objections at once raised, convinced him that they did. The Democrats objected to the bill because like the old Force Bill, it recognized Federal control of Congressional elections, which the Democratic party does not.

Leaving war appropriations out entirely, the other appropriations at the session of Congress just closed, exceed the total of any previous session. The following statement is made by Representative Sayers of Texas, the ranking Democratic member of the House Committee on Appropriations: "The total appropriations at the present session amount to \$392,527,991. This includes \$117,836,220 permanent appropriations, and \$274,691,771 for war expenses. Deducting the war expenses from the sum total, we have \$350,739,896, to be charged against the civil and ordinary expenses of the government. It should be borne in mind that no river and harbor bill has been passed. Considering this fact, the appropriations for civil and ordinary expenses of the government, at this session, excluding war expenses, exceed that of any previous session."

Congress was too anxious to adjourn after the Hawaiian annexation resolution was adopted, to heed Senator Morgan when he said: "There is absolutely no necessity for an adjournment at this time; it is hasty, impetuous and a dangerous step," but, unless many are mistaken, the wisdom of those words will be seen later. The truth of his other words, "The very moment that the treaty of peace is signed by the President and the government of Spain, the military power of the President will cease, and the legislative branch of the government must provide a government for any territory we may acquire by the war," is undisputed; yet the legislative body cannot meet again until next December, unless called together by Mr. McKinley, in extra session.

The report of the Senate Committee on claims, which investigated by instructions of a Senate resolution, the disposition of the money paid to the Southern Methodist Book Concern for a war claim, was not intended to be a humorous document, but many have

(Continued on fourth page.)

CRIMINAL COURT.

Only One Capital Case on the Docket.

JUDGE BRYAN PRESIDES

Solicitor General Prosecuting—Court Convened Promptly this Morning—Ninety-Nine Cases on the Docket—Brownings Case to be Tried this Week.

Wake Superior Court, in its July term for the trial of criminal actions convened at 10:30 o'clock this morning. His Honor Henry R. Bryan, Judge, presiding.

Solicitor Ed. W. Pou, Sheriff H. T. Jones and Clerk George L. Tonnoffski were at their posts of duty. There are ninety-nine cases on the docket to be disposed of, and judging from the usual manner in which Solicitor Pou is prepared and the vigor with which he pushes business this session of the court will no doubt be closed this week. There is but one capital case on the docket, that of W. S. Browning, charged with murder.

GRAND JURY.

Mr. Ivan M. Proctor as foreman and J. N. N. Smith, W. H. Strother, Sr., W. E. Forrest, Henry Turner, D. M. Keith, Winfred Scott, W. T. Rochell, R. J. Franks, S. F. Bailey, B. H. Ferrell, T. L. Jones, Ira Blalock, J. J. Allen, Geo. W. Jones, Alfred Jones, John Hinton and N. G. Sanderford were drawn as the grand jury for the term. They were sworn and charged by Judge Bryan, in a lengthy and well worded charge.

Dudley Peed, Esq., was sworn as bailiff to the grand jury, and escorted the jury to their room.

Blair Woodlief, J. C. Baugh, D. S. Hamilton, John Sanderford, J. S. Phillips, W. S. Mann, R. L. Rand, Wesley Whitaker, Julius Heller, W. E. King, J. P. Peebles, W. H. Passmore, Abel Williams are the petit jurors for this week. C. J. Hunter, A. H. Adams and E. H. Vaughn were excused from jury service at this term.

CALENDAR.

State vs. Walter Fann. Defendant enters nolo contendere. Defendant to pay cost.

State vs. Guion Perry. Bastardy; not pros.

State vs. Alfred McDuffy. False pretense; not pros.

State vs. Alfred McDuffy. Sci. fa.; not pros.

Steele vs. A. C. Hales. c. w.

State vs. Isaac Baker. Injury to property; not pros.

State vs. Jas. Cadesle. Larceny; not pros.

State vs. Wm. Jones. False pretense; sci. fa.

State vs. Robt. Jones. Larceny; not pros.

State vs. Pink Love. Larceny; not pros.

State vs. George Davis. Larceny; sci. fa., n. p. l.

State vs. Miles Nisey. Assault with deadly weapons; sci. fa., n. p. l.

State vs. James Bruce. Assault with deadly weapons; pleads guilty. Fined \$5.00 and costs.

State vs. Dave Gower. Assault with deadly weapons; continued.

State vs. Allie Johnson. Assault with deadly weapons; plead guilty; judgment suspended upon payment of costs and costs of sci. fa.

State vs. John Jones. Perjury; capias and continued.

State vs. Rose Upchurch. Retailing without license; four cases; capias.

State vs. Jas. J. Jones. Larceny; not pros.

State vs. Jas. Beckwith. Carry concealed weapons; capias and continued.

State vs. Eldridge Smith. Called for; ni sci; capias.

State vs. J. C. Langdon. False pretense; not a true bill.

State vs. Rufin Holderfield. Assault with deadly weapons; not pros.

State vs. Rose Upchurch. Retailing without license; four cases; capias.

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