

THE TIMES-VISITOR.

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SANTIAGO SURRENDERED TO SHAFER AT NOON TO-DAY.

TORAL ONCE MORE ASKS FOR TIME.

Asks for Commission to Make Terms of Surrender, but is Promptly Refused.

McKINLEY'S STRICT ORDERS TO MILES.

Madrid Cables Blanco to Have Toral Resist to the Death—The City Reeking With Yellow Jack.

TORAL SURRENDERS.
By Telegraph to the Times-Visitor. Washington, July 14.—Toral with the whole force of Spanish troops surrendered at noon today, accepting the terms of the United States for sending back the Spanish troops to Spain.

TERMS OF SURRENDER.
By Telegraph to the Times-Visitor. Washington, July 14.—Toral has surrendered Santiago. He has accepted the terms of the United States, which was simply to send the Spanish troops back to Spain at our expense. There will be no more fighting at Santiago, and no more in all Cuba until the fall. The surrender of Santiago is said to mean that Spain will sue for peace, making the best terms she can. Possibly the campaign against Porto Rico will now go on. Spanish troops will be sent back to Spain immediately, and our army will be withdrawn from Santiago as quickly as possible. Garcia's forces, aided by five thousand regulars, will be left in charge, and Shafter will be Military Governor Eastern Cuba.

ON POINT OF SURRENDERING.
By Telegraph to the Times-Visitor. Washington, July 14.—Shortly after 11 o'clock Secretary Gage received a dispatch from General Shafter saying that General Toral has asked for the appointment of a commission to consider terms of surrender. It is said that the dispatch indicates that Santiago is on the point of being delivered over to the Americans. This dispatch was immediately taken to President McKinley by Adjutant General Corbin. It is known positively that the message contained the information that Santiago is on the point of unconditional surrender.

THE YELLOW JACK.
By Telegraph to the Times-Visitor. Washington, July 14.—The city of Santiago is reeking with yellow jack and the fact has been known by General Shafter for some time. He has announced that as soon as the city falls he will surround it with troops and only send in a sufficient number to preserve order. The city will be kept until the fall when the fever disappears. No Cubans will be allowed to enter the city lest the footing of Saney be repeated.

MUST RESIST TO DEATH.
By Cable to the Times-Visitor. MADRID, July 14.—The government has issued a statement that it has enabled General Blanco to instruct General Toral to resist to the death and make no surrender.

HOPE IS FORLORN.
By Telegraph to the Times-Visitor. Washington, July 14.—But two dispatches have been received since midnight from the front up to 11 o'clock today and both of these refer to commissary stores and details of the department. The officials, however, expect to receive word soon whether General Toral decides to fight or to accept our terms of surrender. The general opinion is that he will fight in order to save his fighting reputation Spain, but all hope for a surrender. Our lines have thoroughly invested Santiago and further resistance on the part of the Spanish army is a forlorn hope. The officials say that they can take the city in two hours by assault. Admiral Sampson's ships alone can throw over two hundred shells into the city in a couple of hours. It is believed here that when Santiago falls Spain must sue for peace. Secretary of War Alger said this morning that he expects no news from Santiago until this afternoon when we shall hear that General Toral either surrenders or that the land and sea forces promptly begun an assault upon the expiration of the truce at noon. No other course is left open to the American commanders.

READY TO ATTACK.
By Telegraph to the Times-Visitor. FRONT, VIA PLAYA DEL ESTE, July 14.—The armistice continues until Thursday at noon, when the surrender of the Spaniards or a general assault on the city is expected. General Miles has been in conference with General Shafter today. The American land batteries are in position and the guns are trained upon the Spanish trenches. The fleet is prepared to assist in the bombardment of the city. The ships are lying off Aquadores awaiting the signal to begin firing. The burning of houses at Siboney continues.

The troops which arrived on the Yale have not been yet landed. Wreckers are at work on the Cristobal Colon and they think now she will be able to go to the United States under her own head of steam.

REFUSES TORAL'S REQUEST.
By Telegraph to the Times-Visitor. WASHINGTON, July 14.—The officials here do not think for a moment that General Toral's request for the appointment of commissioners to make terms for surrender will be listened to. This move on the part of General Toral is evidently on another attempt to delay proceedings. The President has refused General Toral's proposition and has instructed General Miles to tell General Toral that unless he surrenders by noon the attack upon Santiago by the land and sea forces will commence.

REDUCED IN ONE CASE

Atlantic Coast Line Passenger Rate Cut.

S. R. CASE DISMISSED.

S. A. L. Case Held Open for Future Consideration—Will be Decided July 29th—Action Against Express and Telegraph Companies.

The Railroad Commissioners adjourned at a late hour last night and Chairman Caldwell and Commissioner Pearson left for their homes on the early morning train for the west. Not until a late hour today did the decision of the Commission on the passenger rate question become known and no little surprise was expressed at the action of the Board. In the case against the Southern Railway the Commission refused to grant the appeal of the Governor and dismissed the case from the docket, thus bringing the matter so far as it relates to the North Carolina Railroad to an abrupt ending. The Commission after considering the complaint of the Governor against the Raleigh and Gaston Railroad decided to hold that case open for consideration until the Commission's next session, which is set for Friday, July 29th.

The Atlantic Coast Line case was the last considered and here the Commission broke the lines—granting the petition of the Governor by deciding to reduce passenger rates to 2 and 2½ cents per mile on the Wilmington and Weldon Railroad. The decisions made occasion for much comment and railroad men as well as outsiders expressed surprise at the Commission's action. In the matter of tax valuation of roads the Commission made many changes in valuation of property, taxation on all being increased \$5,000,000.

The Commission yesterday took action on complaints against the Southern Express Company and Western Union Telegraph Company for exacting and collecting from shippers and senders of message a higher rate than that fixed or approved by the Commission by forcing the payment by shippers and senders for revenue tax stamps. The express company and telegraph company are cited to appear July 29th and show cause, if any why the penalties for overcharges should not be enforced and also ordered to furnish to the Commission sworn statements of the number of messages or shipments upon which such overcharges have been made between July 1st and July 29th. The penalty as to the telegraph company is not less than \$50.

GERMANY'S STATEMENT.
By Cable to the Times-Visitor. BERLIN, July 14.—It is officially stated that nothing is known by the government of the Irene's interference in Philippine. This action of the Irene was unauthorized.

TAKEN TO DURHAM.
This afternoon the remains of Mrs. J. Y. Whitted, of Durham, who died last night at the State Hospital for the Insane, were taken to her old home for interment. Mrs. Whitted had been at the asylum only about four weeks and was ill when brought here.

OFF FOR ANNAPOLIS.
By Telegraph to the Times-Visitor. Portsmouth, N. H., July 14.—The St. Louis sailed this morning for Annapolis, having on board Admiral Cervera and the other Spanish officers captured at Santiago.

WORD FROM HAVANA.
By Cable to the Times-Visitor. Madrid, July 14.—An official dispatch from Havana says the steamer San Domingo has arrived at Yaro Puntas from Mexico laden with provisions. Also saying that Pinar del Rio has been set adrift and bombarded by the warships. The San Domingo is supposed to be the vessel wrecked by the American official at Key West yesterday.

WHEN THE SECOND WILL DEPART

Six Companies Assigned to Duty at Forts and Garrisons in the South.

The orders for the six companies of the Second Regiment to be ready to move have caused a great change in affairs at Camp Dan Russell. The question now being discussed is, when will the men leave? No one knows, not even the Colonel commanding, and the men are anxious to learn more definitely the meaning of the orders.

Some are uneasy, and with good reason, over the probabilities of the Regiment never getting back together, and it certainly looks to be the outcome of the matter. The Texas Regiment was given duty similar to that prescribed for the Second Carolina and the men are separated in five divisions, some at Dry Tortugas, New Orleans and Galveston. The points to which the companies will be assigned are as follows:

Fort McPherson, near Atlanta, Company M. Captain Cooper; Company F, Captain Cobb. Major Wilder goes with these companies. Tybee Island, Georgia, near Savannah, Company A, Captain Huske. St. Augustine, Florida, Company C, Captain Jones, Company I, Captain Jeffers. Major Cotten accompanies these companies.

Port Royal, South Carolina, company D, Captain Gray. This leaves in camp here companies B, E, G, H, J, and K. No intimation has been received as to what disposition will be made of this part of the regiment.

Major John W. Cotton, of the Third battalion, will accompany his command. His headquarters will be at Fort Francis, St. Augustine, Fla. He will be accompanied by his adjutant, Lieutenant Bradley Wooten and possibly by Sergeant Major Ed S. Battle.

Major Wilder, of the First Battalion, will accompany the two companies of his command to Tybee Island, near Savannah, Ga., where he will make his headquarters. It is not known whether he will be accompanied by Adjutant Gray or Adjutant MacRae.

The Second Battalion and two companies of the First remain here at Camp Russell intact. They are:

Company B, Captain W. T. R. Bell, of Rutherfordton. Company H, Captain John W. Wagner, Jr., of Asheville. Company L, Captain J. F. Gibson, of Nantahala. Company E, Captain J. T. Smith, of Greenville. Company G, Captain Robert L. Durham, of Gastonia.

Company K, Captain Donald MacRae, of Wilmington. Col. Burgwyn and his staff officers, together with the band, will remain here with half of the regiment. Major Dixon and Adjutant Clark will also remain.

FUNERAL OF MRS. ANN WARD.
The funeral of the late Mrs. Ann Ward was held from Christ Church yesterday afternoon at six o'clock, the service was conducted by the Rector, Rev. M. M. Marshall, D. D., assisted by Dr. I. McK. Pittinger, Rector of the Church of the Good Shepherd, and the Rev. J. E. Ingie, Rector of the Church of the Holy Innocents, Henderson, N. C.

Her favorite hymns were beautifully rendered by the choir, and at the grave Mrs. Chas. McKimmon sang very touchingly, "Abide With Me." The floral offerings placed by loving hand on the altar and chancel spoke of the esteem in which she was held. The pall-bearers were, Dr. K. P. Battle, Messrs. Julius Lewis, Chas. McKimmon, Chas. Root, Jno. C. Drewry, B. S. Skinner, W. B. Grimes and C. B. Hart.

MERRITT AT HONOLULU.
By Cable to the Times-Visitor. Victoria, July 14.—The steamer War-rind arrived here and reports that General Merritt arrived at Honolulu on the fifth of July.

THEY GOT BACK PAY.

Officers of the Second Made Happy.

AMOUNTED TO \$1,000.

The Men are Today Sending Money Home and Paying Up Accounts in the City—General Cowles Wires Paymaster General Stanton.

Adjutant General Andrew D. Cowles and Major Louis Knapp, Paymaster, U. S. A., had a pleasant surprise in store for the regimental officers at Camp Dan Russell yesterday and this morning from the Colonel down to the lowest non-commissioned officer they are healthier, wealthier and wiser.

At the last pay day Major Muhlenburg had not been given orders to pay the officers from any day previous to the date of muster into the U. S. army, in fact, his orders definitely stated that the officers were to be paid only for such time.

Yesterday General Cowles sent a lengthy telegram to Paymaster General Stanton giving the status of the case of the officers of the Second Regiment. In answer to this Major Knapp received instructions to pay the officers from April 27th, and as a consequence about \$1,000 back pay was disbursed by the paymaster. Major Knapp ran short of cash about \$400, and this he will send to the officers as soon as he is supplied from Washington.

The men were all made happy by the crisp new bank notes, and today they are sending part of their hard-earned cash home. Much of the money drifted into the city and deposits at the various city banks were much larger than on any day during the past month.

Major Knapp left this morning for Washington. He is a delightful fellow, a genuine army man, with all the good qualities.

THE CHRISTIAN ADVOCATE.

Doesn't Withhold Its Position from the Clark-Kilgo Controversy.

The North Carolina Christian Advocate reached here today and under the heading of "Our Position" prints the following editorial:

"That a general discussion of the controversy in which Judge Clark, Dr. Kilgo and Hon. J. H. Southgate have lately figured is out of place in the columns of the North Carolina Christian Advocate, must be evident to every mind that understands the functions and purposes of a religious newspaper. We are fully aware that the fact is not so evident to some minds equally as honest and intelligent as those minds which see with different eyes.

"We stated in last week's issue of the Advocate that we had not then seen the necessity of discussing editorially the merits of the question. Yet we have not advocated for one moment the policy of withholding from our Methodist constituency the facts, and from the very first we have had no other idea than that of presenting at the proper time a history of the case, and taking such editorial action on this and collateral questions as will be necessary to vindicate the right. The duty of a church paper to defend the church, every institution of the church, every worthy minister of the church and every worthy layman of the church must ever take precedence of policy.

"To those secular papers that have given both sides of the question with an unprejudiced spirit we convey the thanks of every fair mind. "To those secular papers which have made the controversy an occasion for venting their spleen against Dr. Kilgo, the Board of Trustees and our ministry and laity, we will say that Methodism has waded through over a century of such experience to her present ground of vantage, and that every storm of malignant prejudice that howls around our institution and men only plants them more firmly on the rock of success and makes them nearer and dearer to the great Methodist heart. We can not afford to notice closely the turbid flow of abuse. We look to God and the generations. They will vindicate the right."

FATHER GIBBON'S ON BROUGHTON

Says the Minister's Attack on Catholic Convents Was Vile and Untrue.

The Catholics of Atlanta, says the Journal are very much incensed at Dr. Broughton's attack on convents. Laymen express themselves freely and with great emphasis, but the clergy are more reserved. Father Gibbons of the Church of the Sacred Heart, when seen this morning at the parsonage, was at first not disposed to discuss Dr. Broughton's attack in the public prints, and seemed to think it unworthy of notice. He deprecated controversies of that kind. On further consideration, however, he said: "The attack is unworthy of Christian gentleman. Dr. Broughton has slandered Atlanta's purest, best and most charitable women. His attack on Catholic convents is as vile and untruthful as his arraignment of pure women."

Several attempts were made to see Father Bazin and Father Schadewell, but Dr. Bazin was out of the city and Father Schadewell was engaged and not accessible.

LOCAL BRIEFS.

A bachelor dentist is out of the city on special business.

The cheapest and most delightful outing of the summer will be the excursion to Littleton next Tuesday.

Miss Eliza Simmons, who has been visiting friends in Newbern, has gone to Morehead with a party of friends.

Remember the lawn party at Central Methodist parsonage this evening from eight to ten o'clock.

Don't fail to attend the picnic excursion of the Brotherhood of Locomotive Engineers to Littleton, July 19th.

Dr. A. D. K. Wallace, of the Department of State, left today for his home in Rutherford county to establish a chapter of the Ananias Club.

Col. W. J. Hicks, Misses Lizzie and Berta Hicks leave today for their new home in Oxford, where Colonel Hicks takes charge of the Orphan Home.

Don't forget the lawn party at Central Methodist parsonage this evening from eight to ten o'clock. Benefit of the church.

Private Doughty, of Co. G, has been detailed to duty as nurse for Colonel Green, who will be appointed Hospital Steward.

Last night at the home of her father on Hillsboro street, Miss Lizzie Ashe entertained a number of friends at a delightful card party given complimentary to her cousin, Miss Mary Eaton, of St. Louis. Delicacies of the season were served and the evening proved most enjoyable to all present.

Mr. John A. Simms, Chief Clerk in Mrs. Ida M. Beard, of Winston, is in the city canvassing for a book entitled "My Own Life, or A Deserted Wife." This she is doing in order to educate her children and support herself. In her book she clearly and plainly tells of the wrongs endured and the sufferings she submitted to at the hands of the man whom she loved.

Don't fail to attend the Basket picnic given by the Engineers at Littleton, July 19th, and remember that all who go will have full access to all the mineral waters they want and also a privilege of participating in the dance on the pavilion at the springs. If you think it's too much trouble to prepare a basket for the occasion just go right along, the man in the refreshment car will make ample arrangements for you and yours.

BROWNING'S TRIAL.

Drawing the Jury Began in Court at 3 O'clock. The case against W. S. Browning, who is to be tried for his life for the murder of his father-in-law, Strickland, was called in Superior Court this afternoon at 3 o'clock. At 3:30 the drawing of the jury began and as we go to press at 4:50 the jury has not been completed. It will take all day tomorrow to complete the trial without the argument of counsel.