

THE TIMES-VISITOR.

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RALEIGH, N. C., THURSDAY EVENING, APRIL 27, 1899.

25 CENT A MONTH

CAUSES ANXIETY

Officials Uneasy About Army in Philippines

THE DELAY

Feared Lest Lawton be Cut off from Supplies—The Attack on Calumpit Postponed for Twenty-Four Hours.

WASHINGTON, April 27.—The postponement of decisive operations against Calumpit for at least twenty-four hours has increased the feeling of suspense and expectancy prevalent for the last few days among officers in army and of the administration. Yesterday, it was thought, would bring conclusive results from the campaign in the region around Aginaldo's headquarters.

The onward march of Gen. Lawton, however, was attended by great difficulty and hardship. Gen. Lawton reached Nozary a little too late, apparently, to assist Gen. MacArthur's forces in an effective joint attack. Nevertheless it is impossible to find anything in the present situation to cause very great anxiety since both Gen. Lawton and Gen. MacArthur seem now to be occupying the positions sought, and the next dispatches are expected to bring the news of a successful combined attack on Calumpit. Some anxiety is felt at Washington over the possibility of Lawton's forces being cut off from supplies.

PROTECT OTIS

Official Guards Kept Around His Quarters.

WASHINGTON, April 27.—Private advices received by army officers from Manila tell of the extraordinary precautions taken to protect Gen. Otis from assassination by mercurial Filipinos. It is said that for several weeks it has been realized that Manila was filled with natives friendly to the Filipino cause and that treachery against the high ranking American officers might be repeated, unless unusual means were taken to guard against such attack. According to present advice a special guard of fifty selected men is maintained night and with rifles, around the official quarters of Gen. Otis.

AGUINALDO CONFERRING

He and His Cabinet Considering the Americans' Terms.

MANILA, April 27.—James Cerebamby writes to the New York Journal from Manila that Aguinaldo is conferring with his cabinet in regard to the terms offered by an American.

Many desertions are reported at Tagalo from his army.

Gen. Lawton's march was admirably carried out.

TERRIBLE STORM

Property Damaged, Live Stock Killed and People Hurt.

ST. EDWARD, NEB., April 27.—A terrific wind storm swept over here last night. Much damage to property was done and several persons hurt. Hill covered the ground to the depth of two inches. A considerable number of live stock was killed. Every inhabitant of St. Edwards went into caves or cellars.

SHOOK DEAD

RED HOOK, N. Y., April 27.—Sheridan Shook, the noted politician, died at his country home this morning.

ACADEMY OF MUSIC

Saturday Night, April 29th, The First Regiment Band

Of thirty pieces will give one of their famous concerts. They have been received in Charlotte with great enthusiasm, also at Concord and Salisbury. This band was considered in Cuba and in Savannah as the best concert band in the service and was honored on all occasions. Raleigh should give the boys a crowded house and be as good to them or better than any of the other places visited. They have with them two Spanish Band men.

The admission will be 25, 50 and 75 cents.

Reserved seats now on sale at King's drug store.

FAIR AND WARM

For Raleigh and vicinity the forecast of the weather bureau says: Fair tonight and Friday; warmer.

The storm central in the extreme northwest yesterday has increased in force considerably. It has caused light rains in the upper Mississippi and Missouri valleys, with much warmer weather and southerly winds. The barometer is highest over New England. A secondary barometric depression exists on the south Atlantic coast, which was responsible for the light showers yesterday over the south Atlantic States.

LAWN PARTY TONIGHT

The ladies of the Young Peoples' Guild of the Church of the Good Shepherd will give a lawn party this evening and tonight at the Park Place on North Blount street. Quite a number of young ladies will be in attendance and assist the ladies in receiving.

Band concert and other attractions are promised. No admission fee will be charged.

UNLESS YOU REGISTER TOMORROW MORNING YOU CANNOT VOTE IN THE CITY ELECTION MONDAY.

SUIT AGREED

Agricultural Department—Director Flow Studying Polygamy

After a conference during the morning an act was agreed upon between the attorneys for the Fusion Board of Agriculture and the Democratic board to settle which is the lawful board. Messrs. Battle and Mordecai and Slimmons, Pou and Ward represent the new board and Messrs. Argo, Snow and Harris for the old board.

The action was prepared and at 4 o'clock this afternoon the summons was served on the old board and the case will doubtless come up late this afternoon before Judge Brown. The case will then be carried to the Supreme court and argued there next week.

Mr. James Pou, a leading counsel for the new board said today that he believed this would be done. He said further that the attempt of the Fusionists to stave off action until next October and thus steal four months has failed by the prompt action of the board and the refusal of the State Treasurer to pay out any money until the case was decided.

The fusion board held another one of their little sessions this morning but nothing was done, they merely met.

G. Ed. Flow, the distinguished member from Union, was asked what constituted the principal topic of conversation at today's session. He replied, "Well, really, I cannot tell you for I have been deeply absorbed this morning studying an interesting volume on polygamy and monogamy." In answer to a question he said that this did not interfere with his attendance and work at the board meeting.

OFFICIAL DISAPPROVAL

BERLIN, APRIL 27.—IT IS ANNOUNCED HERE TODAY THAT PRESIDENT MCKINLEY RECEIVED THE GERMAN AMBASSADOR YESTERDAY AND GAVE HIM A DISAPPROVAL OF THE REMARKS ATTRIBUTED TO CAPTAIN COGHLAN AND REQUESTED THE AMBASSADOR TO ASSURE EMPEROR WILLIAM AND THE GERMAN GOVERNMENT OF HIS FRIENDLY SENTIMENTS.

KAUTZ MESSAGE

He Says That he is Protecting Property in Samoa.

WASHINGTON, April 27.—Rear Admiral Kautz cables that everything is quiet at Apia. He says that he is not aggressive on the Mataafa rebels but is protecting the United States consulate United States property and the Samoan government as established by the decision of the Supreme court.

SCHLEY PROMOTED

He Succeeds Rear Admiral Howell, Who Retires.

WASHINGTON, April 27.—Rear Admiral Howell is relieved as senior member of the naval board and on retiring from the board Rear Admiral Schley will succeed him. Capt. Cook, formerly commander of the Brooklyn, is ordered to duty as member of the naval examining board. Commander Mead is ordered to command the Brooklyn.

NINTH MUSTERED OUT

WASHINGTON, April 27.—The transport "Meade" left Santiago this forenoon with the Ninth Immunes to New York. The soldiers will proceed to camp Meade in Pennsylvania to be mustered out.

TONE OF THE MARKETS

CLOSING QUOTATIONS.

Furnished by H. D. White, manager for Faine Murphy & Co., 307 S. Wilmington street.

LIVERPOOL COTTON MARKET.

Liverpool 4 p. m., April 27. '92—Spots steady, demand moderate American middling 3-8; sales 10,000; American 9,000; Receipts 3,000; American 2,000; speculation and export 500. Fut: opened quiet but closed quiet, steady.

April	3.19 1/2
April and May	3.19 1/2
May and June	3.19 1/2
June and July	3.20 1/2
July and August	3.20 1/2
Aug and September	3.20 1/2
September and October	3.19 1/2
October and November	3.18 1/2
November and December	3.18 1/2
December and January	3.18 1/2
January and February	3.18 1/2
February and March	3.18 1/2

NEW YORK STOCK MARKET.

The following were the closing quotations for the leading stocks:

American Sugar	1.70
Southern R. R. Preferred	55 1/2
Pacific Mail	51 1/2
R. R. T.	1.34
St Paul	1.28 1/2
Manhattan	1.23 1/2
B. & O.	48 1/2
American Tobacco	32 1/2
Missouri Pacific	49 1/2
T. C. I.	62 1/2
L. & N.	68 1/2
J. C.	119 1/2
U. S. O.	37 1/2
U. S. Rubber	32 1/2

NEW YORK COTTON.

Months	Closed
April	5.77 1/2
May	5.77 1/2
June	5.83 1/2
July	5.89 1/2
Aug.	5.95 1/2
September	5.95 1/2
October	5.95 1/2
November	5.95 1/2
December	5.95 1/2

Closed steady

UPCHURCH RETIRES

Harmony Now Prevails in 3rd Ward

ALDERMAN C. F. COOK

The Two Factions in the Lower Third Meet and Finally Agree on Charles F. Cook for Alderman.

The warring factions in the Second division of the third ward have buried the hatchet, agreed upon a compromise and Charles F. Cooke, unless all signs fail will be the unanimous nominee in place of Sherwood Upchurch.

This morning Mr. A. E. Olmstead, Mr. Sherwood Upchurch and other leaders in the ward held a conference to see if an amicable arrangement could not be reached. Mr. Upchurch agreed to retire, not be a candidate for the nomination before the primary and not run for alderman provided Mr. Charles F. Cooke was nominated and since Mr. Cooke was perfectly satisfactory to Mr. Olmstead's side the compromise was easily effected. After this decision was reached these gentlemen gave the following signed statement to the Times-Visitor:

TO THE DEMOCRATIC VOTERS OF THE SECOND DISTRICT, THIRD WARD:

After considering our differences in regard to alderman from the second division of the third ward, we held and decided, in the interest of party harmony, to withdraw, each giving his support to Mr. Charles F. Cooke. We believe this a fair solution of the matter.

A. E. OLMSTEAD.
SHERWOOD UPCHURCH.

Mr. Cooke is a member of the Typographical Union and an upright citizen and will doubtless be a valuable man on the board.

"THE TRUTH"

(By W. in Raleigh Christian Advocate.)
A preacher of another denomination very truthfully remarked recently in one of his sermons:

"That a yellow flag had been placed at a residence in the city to indicate that small-pox was within, and that at least one hundred dollars per month of the tax-payers' money had been paid for policemen to guard the premises by night and by day, and prevent persons entering where the disease was. Whereas, the truth was that no one wanted to go or would go into the house for fear of contracting the disease, but that there were numerous HELL HOLES all over the city where boys and young men especially were entering, but no flags of warning were placed in front of them and no officers were stationed to keep these boys and young men out of these places and out of danger."

\$100,000 SUIT.

Action of Gattis Against President Kilgo Comes Up Tomorrow.

The much talked of action of T. J. Gattis against John C. Kilgo, president of Trinity College; B. N. Duke, W. H. Branson and W. R. Odell comes up before Judge Henry R. Bryan, at Oxford tomorrow in a demurrer to the complaint. The attorneys for Gattis are: Boone and Bryant, Guthrie and Guthrie, Watson and Buxton, A. A. Hicks, A. W. Graham, and S. M. Gattis; and the plaintiff demands judgment against the defendant for the sum of \$100,000 and costs of the action. Of course there will be a non-suit as to Mr. Branson.

In a letter from Durham about this case Mr. L. E. Avery writes the Charlotte Observer in part:

"The trouble is solely about the speech of President Kilgo, delivered before the board of trustees of Trinity College, on the 31st of August, 1898, and its subsequent publication, by the three other defendants who were appointed a committee to publish the proceedings of the meeting. That part of President Kilgo's speech is quoted in the complaint, and is the basis for the action."

Basing the charges on quotations from this speech the complaint alleges:

"And so the plaintiff alleges that in uttering and publishing and circulating the aforesaid false and defamatory words of and concerning the plaintiff, the defendant, John C. Kilgo, intended thereby to charge and did charge the plaintiff with an offense equivalent to the crime of willful and corrupt perjury, and thereby intended to injure, and did injure the plaintiff in his good name, fame and credit, accordingly, as if the plaintiff in his testimony upon the investigation aforesaid, had been guilty of the crime of perjury."

The attorneys for the defendants are R. O. Burton, B. S. Royster and Winston and Fuller.

Among other things the demurrer to the complaint recites:

"That four several causes of action are united in said action, to-wit: A cause of action against the defendant Kilgo only for alleged slander, with four separate and distinct charges of libel against the defendants Kilgo, Duke, Branson and Odell for making four separate and distinct publications of said alleged slanders and defamatory words in the said pamphlet, The News and Observer, The Morning Post and The Caucasian, respectively.

"That two or more causes of action is but an improperly joined in the said complaint.

"That it is not competent to unite two or more actions of tort in the same complaint.

"That it is not competent to unite several causes of action in the same complaint unless such cause of action affects all the defendants."

In other words the demurrer claims a misjoinder of action.

DISPENSARY RULING

Att'y. Gen. Walser Called Treasurer Down

EXCITES PROTEST

The Letter of Treasurer Worth Regarding the Operations of Dispensaries Brings Upon Him a Rebuke From the Attorney General

Treasurer Worth's recent ruling that dispensaries can sell liquor only upon prescription has not only raised a storm of protest throughout the State, but brought forth a stern rebuke from Attorney General Walser. The letter of Mr. Worth's which has excited so much comment was published at the time in this paper. It is as follows:

Mr. Meade A. Kelsey, of High Point: "Dear Sir: Yours of the 18th inst., stating that you had seen somewhere that some restrictions had been placed upon the sale of liquor at dispensaries, containing to those holding physicians' prescriptions, and asking for information on this point, received.

"I will reply by quoting you an extract from the law, which says that this section shall apply to all dispensaries—that is, the last clause of section 24 of the Revenue Act of 1899.

"Preceding this clause is the following provision: 'This act shall not authorize any druggist to sell spirituous, vinous or malt liquors except upon the prescription of a practicing physician, as now allowed by law.'

"I hold, therefore, that no liquor can be sold from a dispensary except the party holds a prescription from a practicing physician.

"The law is very plain and explicit on this subject, and applies to all the dispensaries of the State.

(Signed) "W. H. WORTH,"
"State Treasurer."

Those who agreed with the Treasurer in this ruling were exceedingly scarce. Attorney General Walser said that the Treasurer's ruling was of little consequence. Mr. Worth went over to see him about the matter and he has now received the following reply:

"Hon. W. H. Worth, State Treasurer, Raleigh, N. C.:

"Sir: In reply to your communication of the 19th inst., requesting the official opinion of this department relative to the effect of the third proviso of section 24 of the revenue act of 1899, on the right of the dispensaries to sell liquors without the prescription of a practicing physician, I will say that any references by you on this question were obiter merely, and do not have the force and effect of a official opinion of the Treasury Department. Under section 3363 of the Code you are not authorized to give an opinion on any question unless it has actually arisen in the regular course of administration of the affairs of your department.

"In view of these facts, I do not see that any occasion has arisen for your official action relative to the matter about which you have asked my opinion, and as this department is not authorized or required to give an official opinion unless it is needed for the guidance of the head of a department, and in relation to some matter calling for the decision of that department, in accordance with the practice of this department, I must decline to express an opinion upon the question proposed by you. 21 Op. Atty. Gen'l. 173; 22 Op. Atty. Gen'l. 457."

This opinion knocks the Treasurer's ruling sky high, at least for the time being. As an example of the view of the religious forces of the State on the ruling the following editorial is taken from today's Raleigh Christian Advocate, the official organ of the North Carolina Methodist Conference South:

"This seems to us a very strange ruling. In writing these words, we do not discount the intelligence nor impugn the motives of the State Treasurer. It is very well known that the idea of limiting the sale of liquor by a dispensary to those having physicians' prescriptions never entered the minds either of the petitioning advocates of the Dispensary or of the legislators who passed the law. Whatever the letter of the law may be, there is no doubt as to what the spirit is. The intent is as clear as the noon-day sun.

"The decision, in spite of its strangeness, has, at first blush, a happy look. It appears to be a grand victory for temperance. All true Christian hearts have been praying for the time, when no man in this broad land can obtain alcohol without a physicians' prescription. Ought we not, then, to rejoice in Treasurer Worth's ruling? No, because it means the defeat of temperance. It means the final obliteration of every dispensary in the State, and a return to the open saloon regime.

"But the decision will hardly stand the legal test. Attorney General Griggs may say that black is white and that liquor shall be sold in army canteens in spite of the plain vote of Congress, and may have nothing to obstruct his course. But the day is yet to come when the spirit of a law passed by the Legislature of the commonwealth of North Carolina, and affecting most vitally the moral and material interests of a great people can be trodden under foot by a mere verbal accident clothed in official garb.

"We prefer to believe that the significant words in the Revenue Act were altogether accidental. But apart even from this thought, it is best for our people to keep their eyes on the manoeuvres of the liquor power in this State. It is gifted with all the assumed slyness of 'Joey Bagstock-Joey B.' the malicious sophistry of a Mephistopheles and the State craft of a Talleyrand."

The date for their concert here has been set for May 4th just prior to their trip to Durham.

Two special features of the concert will be an unaccompanied trio for two cornets and trombone, played by three totally blind boys aged 9, 11 and 13, and a cornet duet for the two smaller boys mentioned above.

Don't forget the date, May 4th, 1899, at the Institution in the new Auditorium. Tickets, 25 cents. On sale at King's drug store from any member of the band or any officer and teachers.

PENITENTIARY

Boards Now In Session at the Pen

Both the Democratic and the Fusion penitentiary boards met together this morning at 11 o'clock. They adjourned a short while for dinner and then they resumed their session. At four o'clock they had not adjourned.

It is said that the Democratic members will resign but none of them have done so yet.

CIVIL COURT.

One Divorce Granted This Morning.

In the civil court this morning a judgment held by Mr. Jos. E. Foye for \$2,176.43 against E. H. Aiken and W. H. Aiken was renewed the ten years having nearly expired.

Mary A. Stanley, colored, was granted and absolute divorce from Jeff Stanley, and she was all given the custody of the child. Her plea was abandonment.

The morning session of the court ended shortly after noon today.

If you have not registered attend to the matter first thing tomorrow.

FUNERAL.

The body of Mary Delea Powell, daughter of Mr. and Mrs. Henry Powell, was brought to Raleigh at 11:15 this morning and interred in Oakwood cemetery. The remains were met at the station by a large number of friends of the family.

The pall-bearers were Messrs. W. J. Saunders, C. B. Edwards, T. H. Briggs, B. R. Lacy, T. W. Partin, Job Wyatt, John McKee and Henry Carver.

The service at the grave was conducted by Rev. Dr. Thomas E. Skinner. He was assisted by Dr. James Dinwiddie.

ANOTHER LYNCHED

LEESBURG, April 27.—For talking too much about the recent burning of Sam Hose, Mitchell Daniel, a well known leader of the negroes, was lynched by his white neighbors. The body was found at the roadside nine miles south of here riddled with bullets.

TWO RECUED.

NEW YORK, April 27.—The United States transport "Comal" from Havana arrived today and reports that Monday last, forty five miles north of Jupiter light, she sighted a small sail boat flying a signal of distress. She rescued two men.

PARTY LEAVES.

WASHINGTON, April 27.—President McKinley and party left at nine thirty today to attend the ceremonies of the unveiling of the Grant Monument in Philadelphia. The train is due at Philadelphia at half past one.

BLIND INSTITUTION BAND.

The date for their concert here has been set for May 4th just prior to their trip to Durham.

Two special features of the concert will be an unaccompanied trio for two cornets and trombone, played by three totally blind boys aged 9, 11 and 13, and a cornet duet for the two smaller boys mentioned above.

Don't forget the date, May 4th, 1899, at the Institution in the new Auditorium. Tickets, 25 cents. On sale at King's drug store from any member of the band or any officer and teachers.

THE PUBLIC INVITED.

Prof. D. H. Hill will lecture before the Westminster League at the Presbyterian Sunday School building Friday evening at 8 o'clock. His subject will be "The Philosophy of a Joke." The public are cordially invited. No charge.

RALEIGH STOCK MARKET.

QUOTED BY GRIGGS AND VASS.

RALEIGH, APRIL 27, 1899.

BONDS.		
	Bid.	Asked.
North Carolina 6s	135	
North Carolina 4s	109 1/2	110
City of Raleigh 6s		
Wake County 5s	107	
Southern Ry. 1st 5s	107 1/2	
W. N. C. R. 1st 6s	119 1/2	
Ga. & Ala. Pref. 5s	104 1/2	105 1/2
" " Consols 99 1/2		100 1/2
Ga. Car. & North. 1st 5s	102 1/2	103 1/2
Raleigh Central 4s		88
Ral. Water Co. 6s	103	106
Raleigh & Augusta 6s		115 1/2

STOCKS.

North Carolina R. R.	154	
Seaboard & Roanoke		
Raleigh & Gaston		
Raleigh & Augusta	80	50
Barham & Northern	45	50
Southern Ry. Pref.	53 1/2	55 1/2
" " Common	114	13 1/2
Mechanics Dime		
Savings Bank	110	
Raleigh Water Co.	106	55
Raleigh Gas Company		
Caraleigh Cotton Mills		
Preferred	110	
Common		100
Raleigh Cotton Mills		117
Odel Mfg. Co.		106 1/2
Caraleigh Fertilizer		
and Phosphate Works		
Va. Carolina Chemical		
Co. Preferred	116	117
Common	76	77
Citizens National Bank	190	
Raleigh Savings Bank	150	

TOMORROW IS THE LAST DAY FOR REGISTRATION.

LOCAL NEWS ITEMS

Familiar Faces From the Passing Through—Items of Note

SHORT STATEMENTS

Movement of People You Know—Gleanings In and About the City—Snatches of Today's Street Gossip.

The University of North Carolina and the University of Georgia cross bats at Atlanta tomorrow.

The A and M. College ball team left this morning at 8:15 for Mohane, where they played the Bingham school team this afternoon. Tomorrow they play Guilford at Greensboro, and Oak Ridge at the same place on Saturday.

Eugene G. Harrell, quartermaster of the late First North Carolina Regiment, returns to Cuba and goes in the United States quartermaster's department. He will make Cuba his permanent home.

Rev. J. W. J. Crowder, of Raleigh, who in an official capacity has been connected with the Wake County Home for the Poor, for forty-three years, seems to be as active as ever in the service of his Master. He seems to thing only of doing good. He occasionally visits the Advocate office.—Raleigh Christian Advocate.

The Chicago Banker has a very fine cut of Mr. J. G. Brown, of Raleigh, President of the Citizens' National Bank.

Senator Butler has arrived in the city. When asked by Col. Olds about his attitude on the Constitutional suffrage amendment he stated that he would support the amendment later on.

Mr. H. A. Latham, who is now connected with the famous Tate Springs Hotel, Tenn., is in the city on business.

Mr. Joe D. Riddle is confined to his home in Brooklyn by sickness.

A marriage license was issued today today to Mr. James L. Wombie and Miss Ella Morgan.

Mr. R. C. Rivers will enter upon his duties as chief clerk in the State Auditor's office May 1st. He succeeds Mr. J. A. Sims. Mr. Rivers is very popular in Raleigh and well qualified for the place. His appointment is very gratifying.

Mr. John Nichols received the announcement today of the arrival of John Nichols, Jr., at the home of Mr. and Mrs. Edwin Nichols in Philadelphia. Congratulations are extended to father and grandfather.

Thirty employes were kept from the Raleigh cotton mill today on account of vaccination.

Grand Secretary B. H. Woodell of I. O. O. F. left the city today.

Mr. E. W. Pou went to Smithfield today.

Mr. Hector McLean returned to Harnett county today.

A peculiar accident happened on Martin street today. The cyclists had a collision and their wheels telescoped and it required fifteen minutes to unitch them. Neither of the bicycles were damaged, however.

LAST MEETING.

Aldermen Hold Their Last Business Session Friday.

Friday night they resented board of aldermen will hold their last business session, since a new board will be elected Monday and will be sworn in Wednesday next at noon.

Only routine business will engage the attention of the board.

Chairmen Drewry of the street committee says that the committee will not be ready to report on the extension of Dawson and Peace streets at this session.

A report on the water question will be made showing that the Water company has complied with the requirements imposed and that the water is now entirely satisfactory.

TEA CIGARETTES.

Women are Now Indulging in This Fad in London.

The fierce crusade against tobacco cigarettes in London has developed the tea cigarette, which is particularly patronized by women. Undoubtedly some of them will soon find their way to feminine Anglo-manias in New York.

Tea cigarettes are made of a coarse grade of green tea, which has but little dust and is composed of unbroken leaf. This is dampened so that the leaves may be stuffed in the paper cylinders, but not sufficient to affect the paper. The taste is said to be disagreeable at first, the effect on beginners being a sense of oppressiveness in the head and a desire to take hold of somebody.

After a few cigarettes have been smoked the oppressed feeling is succeeded by one of intense exhilaration. Physicians say the effect on the nerves of continuously smoking tea cigarettes is as deleterious as drinking absinthe. The first step toward a cure is a cup of strong tea.—New York Herald.

REV. DR. WHARTON'S HOME FOR ORPHANS OF SPANISH WAR.

Baltimore, Md., April 25.—The Rev. Dr. H. M. Wharton, the well-known Baltimore divine, has issued an appeal for \$50,000 with which to establish a home, farm, and industrial school for the orphans of the soldiers and sailors who have lost their lives in the Spanish-American war and the resulting conflicts in the Philippines. The home is to be located near Washington, D. C., and is to be composed of cottages with "mothers," with all the privileges of a family.