

RYAN MET HIS WATERLOO TODAY

His Attorneys Apply to Judge Purnell for an Injunction to Prevent S. A. L. Consolidation but Get Nothing

Judge Purnell Immediately Granted a Hearing and Gave Three Reasons for Refusing Order—Consolidation Will be Perfected This Afternoon and a Blanket Mortgage for \$75,000,000 Made.

Mr. Thomas F. Ryan of New York, has again been defeated in his attempt to block the consolidation of the various lines that are to form the new Seaboard Air Line railway system. He was utterly crushed in his attempt, the boldest yet made, to stay the proceedings of the stockholders of the Raleigh and Gaston Railroad from carrying out the terms of the consolidation by appealing to the Federal court for a restraining order pending the granting of an injunction. It was a bold stroke, but it failed; not even could he cause the delay for 24 hours.

The stockholders of the Raleigh and Gaston Railroad Company, which will be the parent company of the new system, was called to a meeting today in the company's office of this city for the purpose of carrying out the terms of the consolidation. Prominent officials of the road arrived this morning to attend this important meeting. Among these were Vice President and General Manager St. John, Judge Leigh R. Watts, of Portsmouth, General Counsel, Judge Cross, of Baltimore, and Mr. W. E. Christian.

However, the representatives of Mr. Ryan were also upon the scene of action. His attorney, Mr. Page, of New York, was here, and Mr. R. O. Burton, of this city, was also retained to represent Mr. Ryan. Hon. Leonard Hughes, of New York, ex-Congressman, was likewise here as counsel for Mr. Ryan.

The effort of the Ryan faction today was a surprise, but it was also a failure. Shortly before the appointed hour for the meeting Mr. Page and Mr. Burton appeared before Judge Thomas R. Purnell of the United States Circuit Court and asked for a restraining order, pending the granting of the injunction to prevent the consolidation.

The action was entitled "Thomas F. Ryan vs. The Raleigh and Gaston Railroad Company, John Skelton Williams, John W. Middleton and Leigh R. Watts in their own right and representatives of their associates."

The attorneys for Mr. Ryan filed a lengthy bill, comprising over 60 type-written pages. Judge Purnell granted the temporary restraining order, but stated that he would give a hearing immediately and not cause a day's delay. The restraining order was immediately served upon the officials and they went before Judge Purnell in the Federal court room for a hearing. Judge Watts and Judge Cross argued for the S. A. L. against the restraining order and Mr. Page and Mr. Burton for the order. The argument consumed about an hour and was completed by two o'clock.

Judge Purnell in his usual logical and clear manner, gave the petitioners three reasons for refusing a restraining order; first, they had shown no cause; second, they showed no adequate local remedy; and lastly they had shown no wrong.

The defeat was complete and the Seaboard Air Line officials were entirely satisfied. Mr. Ryan had failed to delay the proceedings a single day. Mr. R. O. Burton, attorney for Mr. Ryan, had the bond already prepared in case the restraining order had stood. It was for \$50,000 with the Fidelity and Deposit Company of Maryland, Mr. F. K. Ellington, agent here.

THE MEETINGS. When the temporary restraining order was served this morning before noon this of course prevented the meeting from carrying out the terms of consolidation at that hour. Hence the stockholders simply met, with Col. Cameron in the chair, and Mr. J. M. Sherwood as secretary, and after appointing a committee on proxies, composed of Mr. Charles E. Johnson and Mr. R. T. Gray, and hearing the report of this committee to the effect that a quorum was not present, adjourned until four o'clock Judge Purnell heard the argument and refused the restraining order, thus leaving them untrammelled for their work this afternoon.

The Raleigh and Gaston stockholders met at 4 o'clock and are now in session. It is stated that there is nothing to prevent the carrying out of the terms of consolidation at this meeting. The capital stock of the Raleigh and Gaston will be increased to \$75,000,000 and a blanket mortgage covering the different properties in the new system created.

RYAN'S FIGHT. The stockholders of the Seaboard and Roanoke Railroad Company, the parent corporation of the present Seaboard Air Line system, have already indorsed the plan of consolidation. There were 13,000 shares of stock represented, though under the arrangements govern-

ing the voting of the stock the shares were entitled to only 3180 votes, of which 152 votes were held by Mr. Thomas F. Ryan, who opposed the consolidation. Mr. Ryan took a leading part in the reorganization of the Central of Georgia Railway Company and endeavored to consolidate that property with the Southern, but was prevented by the Legislature of Georgia. The contest today was a continuation of the fight instituted by Mr. Ryan against Mr. R. O. Burton, Hoffman and his friends when they were in control of the Seaboard Air Line system. Mr. Ryan then charged that the property was being mismanaged, and made unsuccessful attempts to oust Mr. Hoffman from the presidency. He carried the matter into court, and was defeated, but has renewed his contest at every succeeding election with the same results.

Resolving to change his management against the present interests that control the property, Mr. Ryan also charged that it would be against his interests to tie the Seaboard with the Georgia and Alabama, Florida Central and Pensacola and other properties. He owns only 21 shares of the stock of the Raleigh and Gaston, under whose charter the properties will be consolidated.

The New York Herald yesterday prints the following story: "Further details concerning Mr. J. Pierpont Morgan's plans in connection with the Seaboard Air Line came to light yesterday. Some persons in Wall Street went so far as to assert that they were intimate with Mr. Morgan have kept informed in regard to the condition of the Produce Exchange Trust Company for some time, and that when the proper time comes, the Southern Railway interests will be quick to take advantage of the situation and snatch up the Seaboard and Roanoke stock which is necessary to obtain control of that property."

"A director of the Produce Exchange Trust Company said that assurances had been received from somebody close to Mr. Morgan about two weeks ago that the necessary cash would be furnished to help the company out if an examination of the company's books indicated it. This director said he was told that William Nelson Cromwell was to be allowed to look over the books, and if he was satisfied funds would be advanced on proper collateral."

"I learned yesterday that the special committee which was appointed by the directors of the trust company to take charge of the company's affairs, spent most of their time yesterday trying to find out which of the assets connected with the various underlying schemes was most easily marketable, and the intention is reported to be to dispose of this Seaboard and Roanoke stock at the earliest moment. It is understood that they have received a satisfactory offer for it, and it is supposed that this offer comes from friends of Mr. Morgan—namely Mr. Ryan."

In an interview printed in a New York paper, Mr. John Skelton Williams, president of the Seaboard Air Line, said that the total amount of money advanced to the syndicate that controls the properties was less than \$400,000, and that it is amply secured and will be paid on demand.

Mr. Williams reiterated his statement a few days ago that the new Seaboard Air Line system will begin operating through trains to Florida next month.

LUMBERTON TELEPHONE CO. The Lumberton Telephone Company was today incorporated by the Secretary of State with a capital stock of \$2,000.

The incorporators are Caldwell and Carthy, A. E. White, Q. T. Williams, E. K. Prewer, Jr., and A. W. McLean, all of Lumberton, and E. G. Johnson, of St. Paul, N. C.

PENITENTIARY. There are more convicts, whose terms have expired, discharged from the State prison this month," said Mr. E. B. Arnold today. "There are now 1,000 convicts in the penitentiary."

The decrease in the number of convicts received is due to the county convict system," said Mr. Arnold. It might be added that the penitentiary managers realize that this decrease will be continued for they have materially decreased the number of State farms.

THE CHARITY BALL. Don't forget the Charity Ball on Tuesday night after Christmas. Get your fancy costume ready and look your prettiest and best. The whole town will be there to see you, so don't disappoint them by your absence, but let the "charity" on the largest and most brilliant assemblage that Raleigh has looked upon for many a day. The price of admission to all who dance will be one dollar and those who look on seventy-five cents. A very charming feature will be added to the many others previously mentioned, but not disclosed until the evening of the ball. Now, don't wait until the last minute, but go at once and secure your tickets before they are all sold.

SOCIAL NOTES. The Capital Club will give a Christmas german next week on Friday night and a new year german January 2d. Tomorrow night a dance will be given in the Henry Hall.

Governor and Mrs. Russell will receive the students of Pease Institute, the Baptist University, St. Mary's and the A. and M. College tonight from 9 to 12.

HANDSOME PRESENTS. The Employees of Messrs Edwards and Broughton Remember Them at Yuletide

Today at noon Mr. C. B. Edwards and Mr. N. B. Broughton might have been seen hurrying in state in their large printing establishment. They were busy at their desks when a breathless messenger rushed in and summoned them up stairs immediately, stating that there was trouble in that quarter. When they reached the place of the disturbance they found the entire force of the establishment collected there. Watson, warning the spokesman, Mr. J. W. Bailey, began to address them and in a short and appropriate speech presented two beautiful pictures to Mr. Edwards and Mr. Broughton, the former a picture of "Dream in Acre" and the latter the "Three Graces." These were but mementoes of the love and respect in which both gentlemen are held by all their employees. They were greatly touched by this kind Christmas remembrance and responded feelingly.

When this was over Mr. Bailey turned to Mr. C. B. Edwards, Jr., foreman of the printing department, and on behalf of the printers presented him with a handsome set of shirt studs. Mr. Edwards likewise responded fittingly.

UNITED STATES SEIZES BRITISH STEAMER.

Victoria, Dec. 21. The United States gunboat Castine, has seized the British steamer "Lahnam" and sent her to Mazatlán, under a prize crew. It is supposed that she tried to run a blockade in the Philippines.

A FROLIC

A Bachelor's Experience With Two of Raleigh's Belles

A handsome, prominent and distinguished bachelor who is at present residing in Raleigh, gives The Times-Visitor the following trip narrative: "Two of Raleigh's society young ladies started out for a stroll in the country yesterday afternoon. Just for the fun of it they wandered further and further and were admiring the beauties of nature, gathering leaves, etc. Finally they fell to discussing the subject of future husbands, and one said to the other: 'There is a rich bachelor who lives some distance down this road. Suppose we go to see him. He is a high-toned, elegant gentleman who needs a wife, and in a spirit of mischief she added: 'Suppose we go and see if one of us can't catch him.'"

"They walked on and on, for miles and miles, and finally the shadows of darkness gathered round them, and they stopped at a large farm house on the road, and were met at the door by its hospitable mistress. They told her they were from Raleigh, were just out on a frolic, and had walked farther than they intended. She, with the innate hospitality and kindness of a Southern lady, invited them to spend the night with her, telling them that her husband would send them back in the morning."

"It was the pleasure and privilege of your correspondent to overtake these fair dancers about a mile this side of the house where they stopped last night. The last and his son were in a buggy ahead and the two young ladies in another, slowly coming to Raleigh. "Your correspondent has had vast experience, has traveled round them, and has seen many girls, but he has never seen any who were more jolly, or who seemed to more thoroughly enjoy their trip into the country than the two above mentioned."

"It is his opinion that, sooner or later, both of them will capture admirable husbands."

FAIR AND COLDER

For Raleigh and vicinity: Fair, continued cold tonight and Friday; increasing cloudiness Friday afternoon. The pressure continues high across the central region of the United States from North Carolina west to the Rocky Mountain slope. Throughout that region and northward the weather is fair and cold, with the lowest temperature eight degrees above zero, at North Afton, Neb. A disturbance is evidently central in the Gulf of Mexico. Cloudy, threatening weather prevails throughout the South with rain at many points near the mouth of the Mississippi, in Texas, and in Florida.

BRITISH WOUNDED. London, Dec. 21.—A Modder river dispatch of December 18th says that General Buller under a flag of truce sent a request to Conje asking for information regarding the British wounded. Conje was prompted to send the desired intelligence. General Buller says that he communicates with Kimberley nightly.

CANADIANS TO FIGHT. London, Dec. 21.—The steamships "Paria," "Laurentien" and "Pomorian" are chartered to convey the second Canadian contingent to Cape Colony.

LAWTON'S BODY. Troop B Accompanies Remains to Resting Place

SYMPATHY FOR MRS. LAWTON

General Otis did Not Desire General Lawton to Advance that Day But Yielded at General Lawton's Request.

Mamila, Dec. 21.—After the simplest possible ceremonies the body of General Lawton will be taken to Haverbury, where it will remain until Mrs. Lawton is ready to accompany it on transport to the United States. Troop B of the Fourth Cavalry, which General Lawton commanded when he was captured, will escort the body to the country.

When the body is sent home there will be a public funeral, with military honors. The widow is receiving hundreds of expressions of sympathy. Many Filipinos say that those who knew General Lawton knew he was their friend. They express great grief. General Otis said this morning that he had suspended orders for Sumatra movement last Monday evening on account of a storm. General Lawton came from Malabanan personally to urge that the expedition be allowed to proceed. He said the troops were already advancing and he thought the storm would not seriously interfere with the operations. General Otis finally concluded to permit him to go ahead.

LOCAL DASHES

Marriage license was issued today to Mr. Oliver Phillips and Miss Perry Pearce, both of this county.

"The Hon. Enche Club" is the most recent organization among some of Raleigh's most charming young ladies. A meeting of the club will be held at Mrs. West's home on Bloodworth street next Wednesday evening.

"Now it is seldom you see that," remarked Mr. J. S. Allen, Sr., to a reporter today, as he pointed to a large two-horse wagon load of corn on the cob. "There is more corn in the country than usual and the farmers are selling it here on the sows this year. Corn on the cob is preferable for feed to the grain. Horses will eat part of the cob as well as the grain."

Miss Susan McPherson, returned from Baltimore today, where she is attending school, to spend Christmas holidays with her parents Mr. and Mrs. A. M. McPherson.

Mrs. T. N. Ivey has a magnificent piece of tapestry work on exhibition at the Raleigh bookstore where it is offered for sale. It is a beautiful pattern and is greatly admired by all who see it.

Adjutant General B. S. Rogers is in the city today.

Col. J. Turner Morehead, of Spray, came in this morning.

Mr. L. Banks Holt, of Graham, arrived in the city this morning.

Mr. L. E. Butler, manager of the Caucasian, left this morning for Washington City to spend the Christmas holidays.

Judge E. W. Timberlake went to Lenoir this morning.

General Adm. Ransom returned home this morning.

Mr. H. E. Norris, of Apex, came in this morning.

Mr. Ralston Keith, an old Raleighite, of Georgia, came in this morning to spend the Christmas holidays with relatives.

Judge T. R. Womack returned this morning from a short trip to Pittsboro.

Mr. T. N. Colby, of Sanford, came in this morning.

Editor Moffitt, of Elm College, came in this morning.

Mr. Walter Parish returned from Hillsboro this morning, where he has a number of patients at work.

Mr. P. T. Massey, of Smithfield, returned home this morning.

"Did you ever see such weather," was a comment generally heard on the streets today. Very few overcoats were to be seen, yet here it is only three days before Christmas. This appears to be another 1891 winter thus far.

Messrs. Fred and Arthur Sutton gave \$25 bond for their appearance at court in the case of assaulting Mr. Tom Stone. They waived examination. Mr. W. C. Douglass and Mr. N. M. Amis represented the prosecution.

The sheriff of Duplin brought a convict to the penitentiary today.

Champer, Davis, of Wilmington, is appointed adjutant of the Second regiment, vice Bradley J. Wooten, who is now in the Philippines.

The new officers of the Northern and Elizabeth City divisions of Naval Reserves were commissioned today. The commanding officers of these are Wm. T. Hill and J. H. Crawford respectively.

Secretary of State Thompson was looking today at some wretched surveys of land, and said: "The office of county surveyor ought to be abolished. There is no more incompetent set of officials than county surveyors, as a rule. I do not say this from spite. There are in every county men competent to survey, but who will not qualify because of the small compensation. The county commissioners ought to be authorized by law to appoint surveyors."

Wanted—December 27th two dozen bright girls and boys aged from 12 to 18. Pleasant work and good wages. Apply December 27th at the Raleigh Hosiery Co's Mill, South West street, every day Dec 27.

GEN. BULLER RETREATS 5 MILES FROM HIS POSITION

Plainly Evident that the British Relief Forces Now Need Relief Themselves—Lord Roberts Appeals for Native Cavalry—Conan Doyle Elists—More Transports.

London, Dec. 21. This city was startled this morning by a dispatch from Chivich Camp which says that last Sunday General Buller's army retreated five miles from its position in front of the Boer forces. This retrograde movement in itself would not have caused serious alarm, as it would be considered but natural as a precautionary step for General Buller to take under the existing circumstances, however, the dispatch adds that two brigades were sent back to Pretoria in order to frustrate any possible attempt on the part of the Boers to attack the flank, also to attempt to bring off the disabled guns left near the river bank on the British right.

VICTORIA NOT HYSTERICAL. London, Dec. 21. Queen Victoria, a greatly annoyed at the unfounded statements of her health and continuing weeping. A paragraph contradicting these stories appears in the papers in which it adds that it has never been Her Majesty's habit "to display grief like a hysterical school girl."

CAVALRY NEEDED. London, Dec. 21. Field Marshal Lord Roberts held a special military council in the war office today and strongly urged that a large contingent of native cavalry should be sent to South Africa against the Boers. In his judgment they would prove of immense service in the guerrilla tactics necessary to cope with the Boers' mode of warfare. As a result of this insistence Indian Secretary Hamilton has called to Viscount Lord Curzon to learn how many squadrons are available for war service, and how soon they could be landed at South Africa.

UMBRIA CHARTERED. Liverpool, Dec. 21.—The "Umbria" is chartered as a transport for South Africa.

MEN ALL GONE. Tim, Dec. 21.—Colonel Plumer, with

CHURCH DESECRATION

An Attempt of Burglary to Steal Valuable Historic Silver Plates.

Albion, Dec. 21. A gang of robbers entered St. Patrick's Roman Catholic church at Gallatin, early yesterday morning, after valuable plate. These plates are traced back to the incumbency of Prince Gallatin in Lobosita parish, a hundred years ago. Father Ryan was aroused and opened fire upon the robbers. The burglars returned the fire and for a few minutes there was a lively fusillade, then the robbers fled. Nobody was hit.

CAKE WALK. Friday night a swell cake walk will be given in the dining room of the Carillon Hotel by the waiters. Admission is free and all are invited to witness it. The doors will be opened at 8 o'clock. The cake walk will be led off by Ernest Jones, who won in the famous contest at Monmouth City. Howard Walter Settle is determined to capture the championship from Ernest this time. It will be a "hot" cake walk.

AN EXCEPTION TO THE RULE. Is the Woodward-Warren Company Which Will be at the Academy all of Next Week.

It sometimes happens, as experience of many theatre goers will attest, that a dollar show fails to measure up to the genuine standard set by much cheaper attractions, but it is rarely the case that a popular price show can be truthfully said to be worth a dollar. Such, however, was the case at the Academy of Music last evening, when the Woodward-Warren company, the best ever seen in Petersburg, opened its engagement for the current week. They certainly proved an exception to the rule, and undoubtedly gave a high class of entertainment. To this fact the large audience present will bear willing testimony. If the balance of this company's engagement is to be judged by their first production, there is no ground for fear that each and every performance to follow will not be entirely satisfactory.

"Beyond the City," a stranger here, but one that made many friends, was the bill for last night, and it was presented in a very pleasing manner by a capable cast. New, bright and exceedingly clever specialties were introduced between each act, and were heartily enjoyed, particularly the musical melange of Miss Eskent and Mr. Heck, Petersburg Index-Appal. Dec. 18.

Reserve seats for this attraction will be on sale Saturday morning at Robbitt-Wynne's drug store.

Charles McNamee, the new president of the State Fair, takes charge January 1st.

The Democratic executive committee of this county meets January 1st.

a strong re-organizing party of horsemen, has returned, after a week's expedition in Transvaal territory. They reached a point fifty miles from Pretoria, but found no Boers, the country being seemingly empty of men.

LETTER BEARERS WARNED. Mober River, Dec. 21. The Boers told the British letter carriers, who were leaving the depot, that while they were fighting outside their own boundaries they were entirely satisfied, but if they retired within their own frontiers, hope would be at an end.

THE AMERICAN AND ROCKY MOUNTAIN RAILROAD.

Register of Bonds Ryman is today recording a mortgage deed of the American and Rocky Mountain Railroad, of which Mr. J. B. Rine is president, to the Mercantile Trust Company of Baltimore. It was with this to issue \$500,000 worth of bonds bearing 6 per cent. interest, repaying \$2,500 for each consigned mile of railroad from said Trust Company in return for the equivalent in bonds. The bonds are redeemable in 1918—Fayetteville Observer.

CONAN DOYLE TO FIGHT. London, Dec. 21.—Conan Doyle, the famous English novelist, has volunteered for service in South Africa.

RELIEF FORCES NEED RELIEF NOW.

London, Dec. 21. No news has been received from General Buller. No news from Gen. Methuen. No news from Radnor-Powell. Not a word from Grey, or any other British commander. This sums up the situation today and it is plainly evident that the British relieving force is in want of relief perhaps as badly as the forces they had cut out to relieve.

GOVERNOR'S GUARD

Company has Leased Part of 2nd. and all of 3rd. Stories of Henry Building

The Governor's Guard, Raleigh's military company, is in splendid trim and is full of progressive spirit. The company has leased a part of the second story and all of the third story of the Henry building and will move into these new quarters January 1st. In addition to their armory there will be fitted up a reading room and library where all the leading papers and magazines will be on the shelves, and a gymnasium. The apartments will be kept open all day and the early part of the night for the benefit of the members of the company.

Capt. J. J. Bernick, who is in command of the company is an excellent officer. The company now numbers 44 members and this advanced step will doubtless greatly strengthen the organization.

At the suggestion of the company Thursday night 44 members were in line and the examination proved highly satisfactory.

Liverpool, Dec. 21. The "Oceanic" arrived this morning thirty hours overdue. Her delay had caused much anxiety.

The "Oceanic" was delayed by heavy weather and a rough sea.

COTTON FLAT.

New York, Dec. 21. Cotton speculation is flat and destitute of interest. The prices are from 6 to 7 under last night.

CHARGED WITH FETTERY

Whiston, Scotland. Some of the members of St. John Baptist church, colored, just East of Whiston, swore out a warrant today against their pastor, Rev. Lawson Galloway, and the church secretary, R. Harrison, charging them with perjury.

The warrant was issued by Squire Edman and the case is set for trial on Thursday morning. It promises to be quite sensational. Several witnesses are to testify.

It appears that there are two factions in the church and two boards of trustees. Pastor Galloway and his side took an action and delivery papers before Squire Edman yesterday and last night took charge of the church property.

Will Hainzly and members of the other faction claim that Lawson and his side swore falsely in order to get possession of the church.

Judge Purnell states a plain fact when he says moonshining is on the increase in this district. He says it is decreasing in the western district, largely because of the development of a healthy public sentiment against it.

The children of the Primary and Intermediate Departments of Edmon Street Methodist Sunday school will have a Christmas service tonight at 7:30 o'clock in their Sunday school rooms. The members and friends of the school are cordially invited.