

THE TIMES-VISITOR

No. 9,095

RALEIGH, N. C., THURSDAY EVENING, FEBRUARY 15, 1900.

25 Cents a Month

GREAT CONFIDENCE IN ROBERTS' PLAN

British Think That He is Pening the Boers

DUE TO THE FINE WORK OF THE CAVALRY

Use the Mines—They are Coining Money From the Output to Pay the Expenses of Their War.

New York, Feb. 15.—A London special to The New York Tribune today says: "The success of General Roberts' initial move is undoubtedly due largely to the admirable working of the cavalry, under General French, who will now probably endeavor to get around in the rear of the Magerfontein position. This actual situation is serious for the Boers, and it is quite on the cards that they will have to leave the trenches that they have held so long and successfully against General Methuen. There may be, however, no general action for a few days."

ROBERTS' PLAN.

London, Feb. 15.—General Roberts' plan of action as published here today gives great satisfaction. No further news is received of the British advance into Orange Free State, but confidence prevails that the strong hands of General Roberts and General Kitchener are slaying matters towards a decisive victory. General Roberts has his own line strongly guarded and he will be able to force the Boers to fight under very unfavorable conditions or else abandon their heavy guns and stores.

BRITISH WISH MORE MULES.

New Orleans, Feb. 15.—The British army agents here have let another contract for twenty-five hundred mules to be delivered at this port as fast as purchased.

BOERS USE THE MINES.

Parnitzburg, Feb. 15.—It is reported that the Boer Finance Minister is commandeering two hundred thousand pounds of gold monthly from the output of the mines. The Transvaal government is coining one hundred and fifty thousand Krugger sovereigns each month.

FICTITIOUS SILVER COINED ENGLISH "FLORINS" OF DATE 1895 AND 1896 ARE BEING MINTED.

The dies are imperfect also being minted. The dies are imperfect also being minted. The dies are imperfect also being minted.

CHURCHILL WOUNDED.

Parnitzburg, Feb. 15.—It is stated that Lieutenant Winston Churchill, son of the late Lord Randolph Churchill, was wounded in a skirmish yesterday.

IN SELF-DEFENSE.

London, Feb. 15.—Chamberlain said in the House of Commons today that if native territory was invaded by natives they would be encouraged to defend themselves.

FIGHTING AMERICANS

The Filipinos Drive Americans Into a Convoy for Refuge

Manila, Feb. 15.—On the night of the 13th instant, three thousand insurgent Bolomen, armed with Mauser rifles, attacked the American garrison at Darangna in southern Luzon. Reinforcements were immediately sent from Albany, whereupon the main body was attacked and at Albany burned a number of houses. The Spanish Infantry stationed at Albany retired to the convent and fired volleys at the rebels from the roof. The insurgents surrounded the convent, where they first volleys and attempted to set it on fire, but were routed by Shrapney, thrown from the mountain gun, worked from one of the windows. The detachment which went to Darangna and took refuge with a Spaniard in the town hall and fought the rebels all night. Finally the insurgents retreated, leaving 71 dead on the ground. The American loss was two killed and five wounded.

VANDEBILTS TAXED.

New York, Feb. 15.—Surrogate Fitzgerald today decided that the grandchildren of William H. Vanderbilt will have to pay tax on the trust fund of five millions coming from their grandfather's estate.

JACOBUS FOR PRINCETON.

New Haven, Feb. 15.—Professor M. W. Jacobus, of the Hartford Theological Seminary, has been offered the chair at Princeton Theological Seminary, which is to be vacated by Dr. Purvis. Dr. Jacobus is a graduate of Princeton.

RESULTS OF THE STORM.

London, Feb. 15.—A three-masted steamer name not ascertained, is foundered near Lords End, and only her masts are visible. Yesterday the body of a man was found washed to a mast and was taken off by the crew. Several coasting vessels reported to have been driven ashore.

FREE DELIVERY GRANTED.

Washington, Feb. 15.—St. Albans, Vt.; Kingston, Mo.; Salina, Mich.; Mahanet, Ill.; Oxford, Ala. are the latest towns granted free delivery. These will be started immediately.

FINANCIAL BILL CONSIDERED.

Washington, Feb. 15.—The Senate took up the financial bill today and considered the amendment to an International agreement.

HORTON LAW REPEALED.

Albany, Feb. 15.—Without any debate the Lewis bill repealing the Horton law passed the Assembly today by a vote of 82 to 36.

FOR BEATING HIS WIFE

Raleigh Colored Man Arraigned for Beating His Better Half.

Daniel Jones, colored, was arraigned in the Mayor's Court this morning, to answer to the charge of wife-beating.

Jones and his wife were both present, and though they are going to live together in peace and harmony in the future, the evidence that the better half gave against her partner of the stronger sex this morning was sufficient to find him guilty, and to cause Mayor Powell to dispense \$7.25 worth of justice.

Daniel Jones had been threatening his wife with all sorts of punishment for not being more obedient to his whims and not looking after his personal comfort with better grace.

The wife felt that she had been doing her full duty and that she had done everything that she could to support and comfort the other half of the family and look after the numerous cares of the home.

Daniel approached his wife yesterday as if he were entering a Lion's Den, and the woman shrank before the stronger one. She fell to the floor and was dragged out of the door where Daniel had promised to inflict the punishment.

But his reign of tyranny was short-lived. Officer Courad was on that beat and appeared in time to save the wife any further molestation from the husband, and to cost the husband the amount of the fine imposed by the Mayor this morning.

Officer Courad separated the two that many years ago were joined together, leaving the wife at home and taking Daniel from his den to the Station House, where his desires to beat the better half were finally persuaded out of him. At first he pleaded for release and said that he would yet get even with Mrs. Jones. His threats did no good on the other hand they told against him in court today and he is now humbly kneeling as a penitent.

The case of wife-beating is one of a number that have come from the Bowery and East Raleigh during the past year.

In every instance the husband has put up a bitter fight to acquit himself. There have been the most vigorous protestations made by both sides of the family household and in one or two instances the children have come in as witnesses to testify against one or the other of their parents. It is a singular fact that of all cases of this description that have been in the Mayor's Court and Magistrate's Courts in this city in recent years there have been only a very small percentage of the couples to remain at odds after the imposition of a fine and costs on one of them.

The only other case in the Mayor's Court today was one against Bud Ford, Walter Pope and Bill Ford for disorderly conduct, each being fined \$5.25 for his part in the trouble.

LETTER FROM BRADLEY WOOTEN

Mr. Wooten is Well Remembered by Many Raleigh People.

Rev. Edward Wooten received quite an interesting letter from his son, Lieutenant Bradley Wooten, yesterday. It is dated Paris, Dec. 28, 1899, and is signed, "Lieutenant Wooten says: 'I write you from Imus. We left Imus and went down with Major Morgan to inspect the Third Cavalry Infantry. We found them to be pretty good. We went back and joined our battalion and the colonel and lieutenant colonel went with us and at 6 a. m., January 7th Sunday, we marched out to Patal or Patal and there had a fierce fight for about two hours. Companies B and D with the scouts ahead, amused the enemy in front with colonel and Major Morgan commanding the attack and lieutenant colonel took A and C companies and flanked them. It is said we killed 150 and wounded many more. I saw about eighty dead ones. They killed one of our people who has belonged to the gun from the Fifth artillery. Three of their men were shot at the gun. We were up at 250 yards of their works.'

We had only a few men wounded and none killed. A deserter from the Sixth artillery was found nearly dead. I gave him some water and he told me his name, Charles Johnson. We took his commission, which was for a second lieutenant of infantry. The other two battalions were off at Imus. We will write more soon. We had a few small scraps yesterday.'

NORA J. RAY UNDER ARREST

She and Her Daughter May be in Serious Trouble

Mrs. Nora J. Ray and her daughter, Minnie Barry, were arrested Saturday last for conducting the birth of a child born last August, and secretly disposing of the dead body of the child. No burial permit was issued by the city. The case will come up next Monday before Judge H. H. Roberts, when a time will be set for trial.

Col. J. C. L. Harris appears for the defendants and Mr. Ewing Craig represents the prosecution.

The defendants reside on Smithfield street. Mrs. Ray is a divorced woman.

SURROUNDED BY WATER.

Albany, Feb. 15.—The water is still very high. It is reported that the consolidated Ice Company offers twenty-five hundred dollars for the rescue of fifty employees on Montgomery Island which is surrounded water.

Marshall Dockery left this afternoon for his home in Rockingham to spend several days. "Little Billy" Bryan, of Chatham, spent the day in Raleigh and returned home this afternoon.

Melton Prior, the special artist of The London Illustrated News at Laysmith, recently dispatched from the beleaguered city nine tracings of his drawings with different numbers, in the hope that one of them might get through the Boer lines. Experience has shown that only about one runner in twenty succeeds in getting past the burghers in safety.

DEAL IN LETTERS PATENT

Company Organized to Buy and Develop Inventions

STARTS WITH A CAPITAL OF \$67,500

Principal Office Will be in Concord—Another Furniture Factory Will be Established in Winston-Salem. Capital Stock \$10,000.

Articles of agreement were today filed with Secretary of State by Paul I. Fyfe, J. H. J. Kirtz, J. H. McDaniel, W. A. Stokes, J. E. Langhlin, R. O. S. Miller, D. H. Burris and C. H. Perkins for the incorporation of the "Cleavers Club and Manufacturing Company," with a capital stock of \$67,500. The principal place of business shall be at Concord, in Cabarrus county.

The object of the corporation is something new in North Carolina, namely, to deal in inventions, improvements and processes used in connection with or secured under Letters Patent of the United States in order to utilize or take advantage of those inventions. The company in its charter is therefore given the power not only to speculate in these inventions but to carry on any branches of manufacturing which may be deemed advisable.

"Forsyth Chair Company" was also incorporated today with the principal place of business in Winston-Salem. The company has the right to engage in the manufacture of any and all kinds of furniture. The incorporators are Henry E. Piles, Charles Stevens, William A. Blair, Charles F. Tomlinson, W. S. Sulpes and David D. Blair.

WAKE FOREST ANNIVERSARY TOMORROW

Number of Raleigh People will Attend Tomorrow—Entertainment Tonight.

Tomorrow, Friday, February 16th, the Literary Societies of Wake Forest College will celebrate their 45th anniversary. Quite a number from Raleigh will go on tomorrow. The debate at 2 o'clock will be upon the question whether England was justifiable in making war upon the Boers. Messrs. James Z. Eno, Roscoe E. Barrett, Horace E. Flack and John A. Holbrook are the debaters. At eight o'clock p. m., Messrs. Arthur Wayland Cooke and David Meeks Stringfield will deliver orations. Mr. Everett J. Brin will act as president of the debate, and Mr. Vernon C. Coffey, secretary. The marshals are Robert H. Royal and Eugene W. Pearce. Forest G. Hamrick and Edwidge A. Green, William A. Thomas and Dolis W. Sorrell.

Amidst a shower of Wake Forest has not so far failed to be pleasant and profitable in all these three years and more, and those who attend this week may anticipate a good time.

Several went from Raleigh this morning in order to be present at an entertainment which will be given tonight to the students. Dr. Della Dixon, Miss Reynolds and Miss Louie Bridges were among today's party.

A PRETTY HOME WEDDING

The Marriage of Miss Bettie Edwards and Mr. M. P. Chambliss.

Last evening promptly at 8 o'clock Miss Bettie C. Edwards and Mr. M. P. Chambliss were united in marriage. It was a pretty home wedding, the ceremony taking place at the residence of the bride's parents, Mr. and Mrs. C. B. Edwards, on West Martin street. The rooms were tastefully and artistically decorated with palms for the occasion, and a large number of friends of the bride and groom were present to witness the happy event.

The ceremony was performed in the parlor under a bank of palms, and the solemn words which made them man and wife were pronounced by Rev. A. M. Simms.

Miss Mamie Edwards was maid of honor and Mr. D. S. Thomas acted as best man. The bride wore a beautiful dress of white organdy and carried a handsome bouquet of bride roses.

After the ceremony a wedding supper was served which was greatly enjoyed by all present.

There were a large number of handsome and costly wedding presents.

Miss Edwards is a charming young lady, and Mr. Chambliss is a most worthy young man, holding a responsible position with the Julius Lewis Hardware company, and both have a host of friends in the city who join in wishing them unalloyed happiness.

Mr. and Mrs. Chambliss will make their home for the present with Mr. and Mrs. C. B. Edwards.

McNEILL-JOHNSON.

A NEW BOOK BY MR. AMIS

History of Wake County Schools From their Earliest Conception

Mr. M. N. Amis has in contemplation the publication of an early day of a "History of the Public Schools of Wake County." This announcement will be welcomed by a great number of our intellectual citizens, to whom Mr. Amis is so widely and favorably known as the author of several popular books. The work will be in scope what its name purports—a history of the public schools of Wake County from the earliest of the earliest legislators to the present, including the law of the public school system of the State. Other institutions of learning will also be noticed. The work will be beautifully illustrated, together with sketches of many of our leading instructors in education.

THE LITTLE HUSSAR

To be Presented Tomorrow Night in Metropolitan Hall.

It is ready that the music loving people of Raleigh have an opportunity of having a first-class opera in their midst. The Johnston-Pittsboro Chapter Daughters of the Confederacy are fortunate in securing the services of Mrs. J. B. Shipp of Portsmouth, who, with her talented troupe, will present this splendidly come opera in this city Friday evening, February 16th. It will be an opportunity to enjoy good music and help a most worthy cause to raise money to assist in building a monument to our beloved chief, Jefferson Davis—the only President of the Confederate States. This duty has been too long neglected. The veterans understood the work, but at the convention in Charleston last spring turned it over to the women. With commendable zeal the Daughters of the Confederacy are endeavoring to finish the work commenced by the veterans. They ask a liberal patronage from a generous public. Box sheet at King's drug store. Admission, reserved seats, 50 cents; general admission 30 cents; gallery, 25 cents.

RAIN TOMORROW.

For Raleigh and vicinity. Increasing cloudiness with high rain tonight or early Friday, followed by fair until Sunday with a moderate cold wave.

DE WOLF HOPPER CONING.

It is announced that De Wolfe Hopper, who ranks head and shoulders above all others in ability to head a come opera company, is coming to Raleigh on May 26th.

De Wolfe Hopper is known throughout the entire world, and has been for several years the leader in his line of the theatrical profession. He is considered by all to be the equal of Frances Wilson and by many to be superior.

Since the days when De Wolfe Hopper played the great come opera, "Wang," and made the theatrical loving world the admirers of himself and Della Fox, De Wolfe Hopper has held his own and in the opinion of many able critics has developed even stronger fine making qualities, besides by experience learning better how to equip an excellent company to meet the desires of the public.

"Panjandrum" was staged by De Wolfe Hopper and in this country it was a great success, meeting with approval of the great cities of the North, where he was forced to make the whole season to please the public.

With "El Capitán" De Wolfe Hopper came to Raleigh and played before a crowded house. The production of that opera here is remembered as one of the greatest events in many years.

De Wolfe Hopper will play in Raleigh this year under a large guarantee. He will appear in only a few cities in the South.

THREE MEALS A DAY FOR TWENTY-SEVEN CENTS.

Breakfast Six Cents, Lunch Six Cents, and a Chicken Dinner for Fifteen.

"Oh, yes, there are plenty of fellows in this city who live on twenty-seven cents a day," said a dining-room owner to a Washington Star reporter. "I'll tell you how they do it. They get up in the morning, and with six cents go to a three-cent lunch room. There they procure a cup of coffee and a sandwich, each costing three cents, or something of that sort.

"At lunch time they visit the three-cent places again, and with a piece of pie and a glass of milk are contented until dinner. At dinner they go to the regular lunch and eat themselves happy on fifteen cents. At a number of regular dining rooms in the city a dinner can be bought for fifteen cents—consisting of soup and bread, one meat and one entree, two vegetables, a piece of pie or other desert and a cup of tea or coffee.

"But where those sharpers do the lunch room proprietors is in another way. They know when each dining room is to have a certain dish for dinner, and therefore they have their pick of meats and other things. I soon found that these fellows with their fifteen cents would get a good dinner. The next day they would disappear and would show up at the dining rooms of some other man who had a special dinner, and so on throughout the week.

"These twenty-seven-cent fellows as a rule pinch on meals so as to have more to spend on dress. They must keep in style."

Send for the Gala Day official program.

DISPOSITION OF CITY PROPERTY

Justice Montgomery Writes the Opinion Cited

AFFECTS PROPOSED MARKET HOUSE SALE

By Request of "Tax Payer" the Opinion Just Handed Down in Case of City of Southport vs. Prudence Stanly is Printed in Full.

Editors Times-Visitor: As the decision of our Supreme Court on the right of a Board of Aldermen to dispose of city property is of interest to our people, will you please publish the decision in full?

Respectfully,
TAX-PAYER.

In the case of the City of Southport v. Prudence Stanly, 125 N. C. 404, Justice Montgomery, who writes the opinion, says: "This is an action brought by the plaintiffs to recover the possession of a piece of land situated in the town of Southport. The town of Southport was originally incorporated in 1792, under the name of Smithville. The name Smithville was changed to Southport by an Act of Assembly of 1887, but no other changes were made by the last mentioned act in the provisions of the old charter. Under the original charter, 150 acres of the State's lands were appropriated to the town of Smithville, and were vested in certain commissioners and trustees named in the charter. These Commissioners and trustees, in the words of the act, 'were authorized and required to lay out a town containing 100 lots, to consist of a half-acre each, or thereabouts, with convenient streets and squares, which lots, streets and squares are hereby constituted and created a town, and shall be called and known by the name of Smithville, and the surplus of land shall remain as a common for the use of said town...' and the commissioners are hereby required to make, or cause to be made, a fair plan of said town, and mark, or number, each lot for the use of said town, shall take subscriptions for the remainder from such persons as may be willing to subscribe for the same, etc."

In the year 1888, a former Board of Commissioners of the town of Smithville undertook to convey, by deed of lease for 99 years, the piece of land described in the complaint to W. H. Craig, the lessor of the defendant, and in this action, the piece of land in question is a part of one of the lots reserved for the use of the town, and in attempting to make the lease, was ultra vires.

The defendant's contention is, that the lease is good under the provisions of the act of 1824 of the State. The language of that act is as follows: "The mayor and commissioners of any incorporated town shall have power at all times to sell or lease any public property, or any property, real or personal, belonging to any such town, and apply the proceeds as they may think best." The question presented for our decision then, brings up for consideration the above-quoted section of the Code. The power of the General Assembly to authorize the governing authorities of a town or city to sell or lease any real estate of the town or city, whether it be parks, squares, public buildings, or places necessary to properly protect or govern the town, is not before us. If it was there would not be a moment's hesitation in declaring that such power exists. The only limitation on the power of the General Assembly in the matter would be that that body could not divest or provide for divesting the rights of the owners of lots having a property or easement in the adjacent streets or alleys with reference to which they invested their money in the lot, and the improvements placed upon them by under taking to confer upon the town or city, or upon any other, the power to sell or lease any real estate of the town or city, or any other, for the use of the town or city. Mayor v. Carson, 101 N. C. 431.

But the question before us is, does the statute (Code, sec. 2824) confer upon the governing bodies of towns and cities power to dispose of such property of the town or city as we have mentioned. We are of the opinion that it does not. It is clear that if such a power existed under the statute, it would be in the power of the governing authorities of a town or city to practically annul its charter—

—a thing which certainly could not be done except by the General Assembly, through a bill enacted for that purpose. If the Commissioners or Aldermen could, under the section of the Code above quoted, sell one public square or park, or building used for government purposes, why they could logically sell every building owned by the town, and every public square, and by that means destroy the means of proper governing the municipality, and also greatly impair the value of all real estate within the city or town limits. It is true such action on the part of the Commissioners might not be probable, but it could be done—it is possible that it could be done—under the construction which the defendant put upon the Code section. The reasonable construction of the statute must be that the town or city authorities can sell any personal property, or sell or lease any real estate which belongs to the town or city as the surplus of the original acreage ceded for the town or city site, or such land as may have been subsequently acquired or purchased; but in no case can the power be extended to the sale or lease of any real estate which by the terms of the act of incorporation, is to be held in trust for the use of the town, or any real estate which, or without, the buildings on it which is devoted to the purposes of government, including town

or city hall, market houses, houses used for fire departments or for water supply, or for public squares or parks. To enable the town or city authorities to sell such of the real estate of the towns or cities as is mentioned just above, there must be a special act of the General Assembly authorizing such lease or sale. The facts were found by consent by the Court, and judgment rendered for the defendant and against the plaintiff, and there is error in the judgment. Reversed.

LOCAL NOTES.

Miss Etta Mabry went out to Wake Forest today.

Judge H. G. Connor went to his home in Wilson this morning.

Rev. W. B. Guthrie went out of the city today on business.

Mr. A. C. Sharp went to Weldon and other points this morning.

Mr. Charles Pearson went to Louisburg this morning on business.

Mrs. J. H. Smith and children left this morning for Neuse to visit her father.

Miss Leon Vernon Powell left this morning for Baltimore, where she will visit friends.

The Klondyke Club will be entertained tomorrow, Friday, afternoon by Mrs. Joseph E. Pogue.

Miss Etta Farmer, of Richmond, Va., is the guest of Misses Louis and Hattie Farmer, on North Dawson street.

President James Dinwiddie, of Pence Institute, will lecture at the Institution for the Blind next Saturday evening at 7 o'clock on "The Value and Beauty of the Unseen."

Miss Mattie Richardson, on North East street, has been very sick, but is now improving.

Col. John S. Cunningham, of Person county, who has been in Raleigh since his initiation into Barton Gales Lodge, I. O. O. F., returned home this morning.

Miss Katherine Farnsworth, of New Jersey, is the guest of Miss Mary Johnson, on Hillsboro street.

Dr. John C. Kilgus, President of Trinity College, spent today in Raleigh. He returned home on the afternoon train.

"Si Plunkard" appeared at the Academy of Music last night to a rather small audience. The band was good, very good, and as for the rest, well the crowd seemed to derive some pleasure from it. The show was not a high class production, but no one expected anything great.

Mr. C. M. Tusler returned this morning from Washington city, where he appeared for Congress-man John D. Bellamy in the Dockery-Bellamy contest for the seat from the Sixth North Carolina district. The case will be taken up by the House on February the nineteenth, next week.

A TEXAS STEER

Hoyt's Great Political Comedy Here For Saturday Night.

"A Texas Steer" will doubtless be greeted by a big house when it comes to the Academy of Music Saturday, February 17th.

It would be singular if the theme hit upon by Hoyt did not furnish rousing entertainment. "Maverick Brand" is a rugged, honest Texas ranchman. During a brief absence from his ranch he is elected to Congress. The young man returned with this fact on his return in dignity refuses to fill the office. "If you're too good to represent us in Congress, you just say so," grows "Brand" of "Si Plunkard." Backed by hundreds of barrels of six-shooter, the plainsman (shows up his hands, and lies to Washington with his honest wife and daughter. The misadventures that ensue are always absorbing. Now wildly hilarious, quietly satirical, again touchingly pathetic. The play will be given a magnificent production and will be represented by a company of players remarkably adapted for the interpretation of the various characters and taking "A Texas Steer" seats have on sale. Prices: Lower floor \$1.00; gallery, reserved 50 c.; General admission 75 and gallery 25 cents.

A GREAT IMPROVEMENT.

Mr. Fred A. Watson has had placed in his Photographic Studio a new skylight which is probably the largest and most modern in the State. It is about fifteen feet square and is made slanting on both sides. Mr. Michelow, who is in charge of the gallery, says that the operating room is one of the largest in the State, and that a group of seventy-five can be taken there at one sitting. The weight of the great skylight is more than 500 pounds from above, the glass being extra thick. The arrangement of the glass is installed after one of the best in New York, and is a great improvement.

A notable event in colored society in Raleigh will occur next Wednesday evening, when Ethel Austin Polk, the daughter of Daniel C. Polk, the pastor on Col. A. B. Andrews' private car, will be married to Gal on Branch Avenue. The wedding will occur at 9 o'clock at St. Ann's church. A reception will be held from 9:30 to 11:30 at the residence on South McDowell street.

BIDS FOR CONSTRUCTION OF SEWER.

Purchasing Department, Raleigh, N. C., Feb. 15, 1900. Sealed bids will be received for construction of Sewer on North Blount street, until Monday, at 12 o'clock, M., February 26th. Contractor will be required to give bond to the city in the sum of one thousand dollars for the faithful performance of, and the completion of the work within sixty days from date of award of contract. Specifications and proper can be seen at the Mayor's office upon application. The city reserves the right to reject any and all bids. T. P. SALE, Purchasing Agent.

Don't wait for shad to get cheap. They are so already at Britton Perce's. One hundred tomorrow and Saturday. 'Phones 229 and 343.