

# New Bern Daily Journal.

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NEW BERN, N. C., THURSDAY MORNING, NOVEMBER 9, 1899.

ESTABLISHED 1832

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## BRITISH SUCCESS.

### Gen. White Makes an Assault From Ladysmith Against Boers.

### Takes Their Camp and Many Pris- oners. Making Not Taken Entire English Army Called Out.

LONDON, Nov. 7.—Tonight's dispatches from the front have rent the veil of gloom enveloping Ladysmith, showing, it is said here, that the British garrison is not merely standing on the dogged defensive, but is executing a series of brilliant sorties.

It appears that Gen. Sir George Stewart White sent a strong force of cavalry and infantry to attack the Boers at Tatham's farm, about 10 miles to the northward, near Beesters, and apparently achieved a surprise, the Boers being caught on the open veldt, cut to pieces and their camp captured.

Encouraged by this success, General White decided to risk an even more important engagement on the following day, which was again justified by success. Ladysmith had been isolated and a Boer force had intercepted the railway between Ladysmith and Colenso. This force on Friday had descended upon

in round numbers of 40,000 men. It will be made up as follows:

Thirty infantry battalions, three batteries of the Royal Horse Artillery, 18 batteries of field artillery and 10 regiments of cavalry.

The Third Army Corps will number at the outside 25,000 men. It could not be brought up to its full strength without the aid of the militia. It will be required for garrison purposes, as nearly every military station in the Kingdom will be denuded of troops by the concentration of the Second Army Corps at Aldershot.

The mobilization of the Second and Third Army Corps is without precedent. It will, of course, involve the calling up of the reserves of those regiments which are on the list.

## KENTUCKY NOT SETTLED.

### Claims Made by Both Parties. Reports Seem To Favor Republicans.

LOUISVILLE, Nov. 8.—Up to late this afternoon, there is no reason to recede from the conclusion reached early this morning as set forth in a bulletin then issued. The probability remains that Taylor, Republican, will have a plurality of something over 2,000. Reports covering counties and precincts yet missing are coming in very slowly. Many of them will not come in before tomorrow or later, and until they are in the result can-

## CASE DISMISSED.

### Gattis vs. Kilgo Before Supreme Court, But May be Retried.

### Smallpox Likely to Spread This Winter. Death of Dr. Sanderlin Fayetteville Board Case. Bel- haven Oyster Trade Cot- ton Compress Idle.

RALEIGH, November 8.—The decision in the case of Gattis vs. Kilgo, appealed to the Supreme Court upon the question of practice, was rendered yesterday. The complainant alleges in part that the defendant Kilgo uttered in public places words against the plaintiff, charging him with an offense equivalent to perjury, and intending thereby to injure, and did injure the good name of the plaintiff; that the defendant, Kilgo and his co-defendants, Daka, Brauon and Odel, wickedly intending to injure the plaintiff, published slanderous, libelous and defamatory words concerning the plaintiff and prays for damages. The defendants demurred to the complaint, that it improperly joins two separate causes of action against different parties and moved to dismiss the action. The demurrer was sustained and the motion to dismiss allowed. The Supreme Court holds that the demurrer was properly sustained, as the two causes of action, alleged in the complaint were improperly joined, but that there was an error in dismissing the action, and the judge below may either allow amendment to the complaint or divide the action for separate trials. The two causes of action may be joined in one complaint, but each cause must be separately stated. Code, section 297; 76 N. C. 416; 83 N. C. 109; 92; 330.

Dr. Richard H. Lewis, secretary of the State board of health, says there are now cases of smallpox in Halifax, Person, Rowan and Chatham. At Scotland Neck there are four. He expects an outbreak of the disease this fall much more severe than the one last spring. He is informed that there are a thousand infected points in southern and southeastern Virginia and northeastern North Carolina. The fact is that Virginia took no precautions against the disease and some of the counties in northeastern North Carolina were equally short sighted. In this State as a whole the disease has been remarkably well managed.

Dr. Lewis spoke of the vital question of pure water supply, and said some water companies show no disposition to look after the purity of the water they furnish. He added that when people discover such a lack of interest a movement for municipal ownership is the inevitable and proper result.

Rev. Dr. Geo. W. Sanderlin, who died Monday in a Baltimore sanitarium, was buried here this afternoon, Governor Russell and the Council of State attending the funeral. Flags on the Capitol were half-masted. Dr. Sanderlin was 66 years old, a native of Camden county, captain in the Confederate service, State Auditor four years and appointed fourth auditor, United States Treasury, six years ago. He was for several years pastor of the Franklin Square Baptist Church, Baltimore. He had been in feeble health in mind and body several years and some months ago was injured by a fall. He was a brother-in-law of Chief Justice Faircloth.

The most important case before the Supreme court is one in which Robinson and Cook appeal for the town of Fayetteville. The Legislature passed an act allowing that place to expend \$75,000 in the purchase of water and electric lighting plants; the people by vote ratified the act; the opponents of the plan contend that the Legislature failed to provide for a special tax to meet the interest and create a sinking fund; the town contends that this was not necessary, as the act recites that the regular tax is ample to meet the interest and provide the sinking fund.

Charles F. Warren, of Washington, N. C., is here. He says Belhaven, Beaufort county, is now the centre of the oyster trade in North Carolina. Six Baltimore firms are operating as many canneries there.

The annual meeting of the Sons of the Revolution will be held here November 15th. The society now has 90 members in North Carolina.

Senator Butler has 90 acres in pecans on his farm at Elliott, Sampson county. The cotton compress here has done little or no work this season, for the reason that the North Carolina mills are taking all the cotton.

## The Winnie Davis Monument.

RICHTON, Va., Nov. 7.—Mr. George Julian Solary, of Florence, Italy, the sculptor of the Winnie Davis monument and the large statue of President Jefferson Davis, is here. All arrangements, he says, have been made for the dedication of the memorial. The sculptor is a

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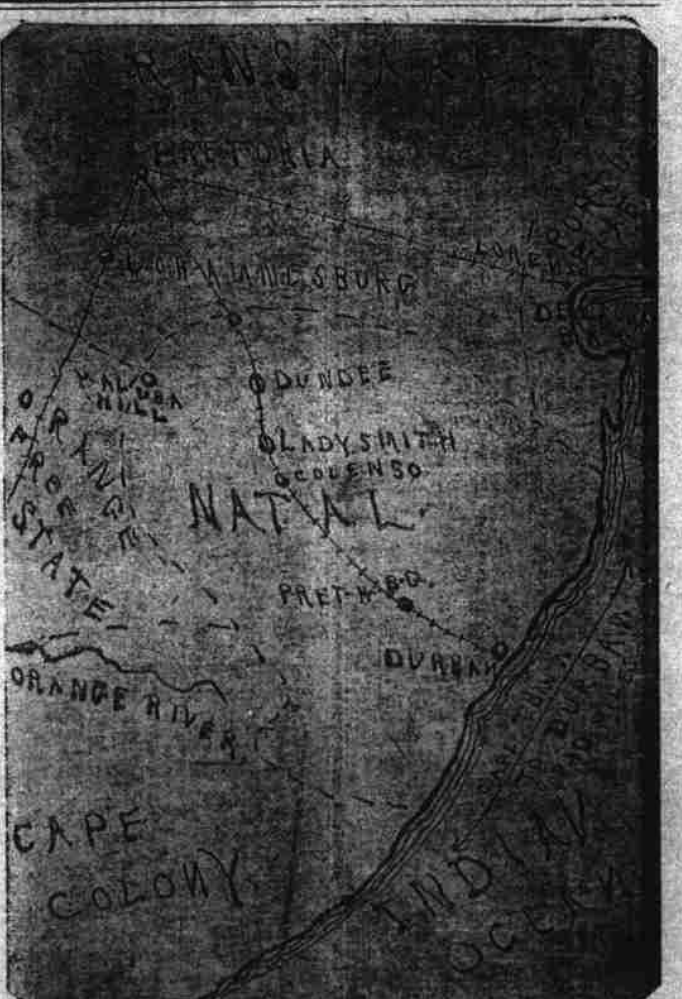
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Map of the theater of war in South Africa, showing line of railroad from Durban to Pretoria. English army is now in Ladysmith, surrounded by Boers who hold Colenso in the rear.

Colenso had compelled a hurried abandonment of Colenso and a retirement of the British to Estcourt.

The Boers had advanced southward until they had occupied the hills just north of the Tugela river and dominating Colenso, on the other side of that stream. The hills slope to a plain that reaches to the banks of the Tugela.

General White's division caught the Boers in the rear. After the hills had been shelled the British infantry stormed the position. Meanwhile the British cavalry swept round the hills. As the retreating Boers descended into the plains with British bayonets behind them and the river in front of them, they were charged by the cavalry, and it is said, perished almost to a man. The British then returned to Ladysmith without coming into touch with the Colenso garrison, which had retired to Estcourt.

A later dispatch from Estcourt stated that an armored train had been sent back to Colenso to repair the line, and the next news may possibly be of the restoration of communication with Ladysmith.

Making Holds Out.  
LONDON, November 7.—The Daily Mail's war correspondent cables as follows:  
MARRING, October 30 (via dispatch rider to Krumsan and runners to Orange River, November 5)—The Boers have bombarded the town for several days past with five 7-pounders, one 10-pounder, two Krupp 15-pounders, and one Krupp 24-pounder. Three hundred shells were fired in the course of 20 hours. The British had four men only wounded. The damage to the town is incalculable.  
All efforts to storm Mafeking so far have been thwarted. The garrison is in the highest spirits. The Boers seem to be getting discouraged.

Every Man in Arms.  
LONDON, November 7.—The Daily Mail is informed that the Second and Third Army Corps are to be immediately mobilized and that a division consisting of 15,000 men of the Second Army Corps will be dispatched to South Africa as soon as the necessary arrangements can be completed.  
The Second Army Corps will number

not be definitely known.

Both parties continue to claim the election. The Gobel adherents contend that they will have a plurality of at least 7,000, while the Taylor adherents seem to figure out a plurality of as much as 10,000 but the claims cannot be sustained with any sort of reason for either side.

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Hood's Pills cure biliousness, sick headache.

## OHIO'S VOTE.

### Nearly 50,000 Majority for Republican Ticket. Not Much Change From These Figures Likely.

Special to Journal.  
CINCINNATI, Nov. 8.—Unofficial returns from 78 counties in Ohio, and estimating the remaining 10 counties the same as in 1897 gives Nash, Rep., for governor, a plurality of 49,644. The counties unheard from are Hardin, Holmes, Paulding, Pike, Portage, Benning, Summit, Vinton, Wyandotte and Perry. 93 counties including Butler, Cuyahoga, Hamilton and Lucas give Jones 70,793 votes.

Later unofficial returns have been received from all the counties in Ohio with a few scattering precincts estimated. Nash's plurality is 49,605. Returns have been received from 47 counties showing Jones' vote to be 84,747; this includes Butler, Cuyahoga, Hamilton, Lucas, Loric, Stark and Summit counties.

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## A. J. SMITH

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morning saw for the first time Hollywood Cemetery, in which these monuments are to be erected. "It is the most beautiful cemetery I ever saw," said the artist. The site of the Davis monuments, Mr. Zolnay declared, was a splendid one, the plateau overlooking James river, upon which is the Jefferson Davis circle, the sculptor thought, made an ideal location for these monuments.

Just before he left Florence Mr. Zolnay says he received a request from the Royal Gallery of Art in Bucharest, Roumania, for a plaster-of-paris cast of the Winnie Davis monument to be placed in that place. The request, which the artist says is an unusual one, is considered a great honor to the Daughters of the Confederacy, as well as to the artist.

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