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# Daily Times.

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Vol. 1.

RALEIGH, N. C., FRIDAY EVENING, OCTOBER 1, 1897.

No. 29.

## HITCH IN THE TITLE

### Causes Delay in Work at Rock Quarry.

## TO PAINT ALL POLLS

### GOV. RUSSELL IS COMPLIMENTED FOR CAPITOL SQUARE IMPROVEMENTS.

### Portion of South Street to be Curbed. Great Improvements in the Last Thirty Days.

Our people are deeply interested in any and everything appertaining to street improvements, and we are sure that the following excellent report, which will be submitted by our able street committee to the board to-night, will be read with the greatest interest:

To the Honorable Mayor and Board of Aldermen.

Your committee on streets beg to submit the following report:

We feel that this board has a just cause of congratulation on account of the very substantial endorsement which it received at the polls on September 7th. We are satisfied now that the people of Raleigh are in full sympathy with the course heretofore pursued by the street committee in urging the importance of using so much of the city's finances as was appropriated to the street department in making improvements of a permanent nature. There is no department of the city government which is more closely interwoven into the warp of human existence and the every day life of its citizens than that of improving and cleansing its streets. The health, prosperity, convenience and comfort of the people of the town depend materially upon the manner in which the city affairs are administered along these lines. No city is free from the constant menace of epidemics and diseases of all sorts whose streets are in an unclean and filthy condition, and no city can be kept clean without well drained and properly paved streets. It is therefore with a just pride that we congratulate ourselves and the people of Raleigh upon the successful issue of the bond question, as it would have been impossible to have continued these improvements of a permanent nature without the aid of these bonds.

### THE PAINTING OF POLES.

In view of the fact that the State Fair is to be held in this city during this month, and desiring that our city should present as handsome an appearance as possible, we recommend that the telegraph, telephone, electric light and other companies having poles on the streets in the city be required to paint these poles a uniform color between now and the eighteenth of this month. There are a large number of poles on our streets at the present time of all sizes, shapes and colors, and we believe that if these poles were all painted a pretty shade of green it would add much to the appearance of our streets.

### THE CAPITOL SQUARE.

The capitol square, situated in the center of the city, has always been a source of pride to our people, and one in which they have taken deep interest.

The walks in this square have been in a bad condition for many years, and they have been seemingly neglected by our State officials. This is the State's property, and as it is visited by people from all over the United States, it is a matter which should interest every public-spirited citizen in North Carolina. We should feel not only a municipal but a State pride in making this square as beautiful as possible, and under no circumstances should it be neglected, and our State could not spend a few thousand dollars more judiciously than in improving and beautifying this square.

Strangers from a distant State coming to North Carolina judge largely of the character of its people by the appearance of its public squares and buildings.

We are glad to see that his Excellency Governor Russell has taken this matter in hand and is beautifying the grounds by improving the walks in the square.

We believe that every patriotic citizen in North Carolina will feel a warm thrill of State pride in his heart on account of this act, and will applaud the Governor in this cause, and we hope that he will continue the good work until this square, which belongs to the State, and around which so many hallowed associations cluster, is made a thing of beauty and a joy to all of the people in North Carolina.

We recommend that this board most cordially endorse the Governor's action in this matter.

### THE ROCK QUARRY.

It is the desire of the committee to

open the rock quarry as soon as possible. We commenced investigations along this line immediately after the September election.

We found some obstacles in our way, and we are now endeavoring to overcome them as rapidly as possible.

In the first place we found that the rock quarry did not belong to the city, but was the property of the State, and while it is practically of no value to the State, yet we feel that it is necessary to proceed in a legal manner in order to secure possession of the property.

We have requested his Honor Mayor Russ to secure a lease of the property, and he is now giving it his usual prompt and careful attention.

We would not feel justified in making an expenditure to develop the quarry upon an uncertainty in regard to the title.

We have also been negotiating in regard to the purchase of machinery, but this matter has taken no definite shape, and cannot proceed further until the question of the possession of the quarry is finally determined.

This matter will be pushed as rapidly as possible consistent with prudence, and what we deem the welfare of the city.

### GRASS ON SIDEWALKS AND STREETS.

We notice that grass is growing between the street car track in some parts of the city, which speaks badly for our city. This should not be allowed, and as this part of the street is kept up by the street car company, we recommend that they be notified to remove the grass now growing between their tracks in the city as quickly as possible.

We also recommend that the chief of police be requested to call specially to the attention of his men the matter of grass growing on the sidewalks.

The property owners are supposed to keep their sidewalks clean and free from grass. We regret to say that the sidewalks in some parts of the city are badly covered with grass. The policemen are furnished with notices to warn the property owners of the violation of the city ordinance in regard to this matter, and they should see that this ordinance is enforced, and that the sidewalks are properly kept open, and that they are not obstructed with grass or other vegetable matter.

### STREET FORCE.

The street force has been doing some very good work recently at the intersection of South and Blount streets.

A wonderful improvement in the appearance of the streets in that part of the city has been made within the past thirty days.

A person going there and recollecting the former condition of the streets would hardly recognize them at the present time. We are now making arrangements to curb South street, from Blount to West street. We have also made arrangements to curb the sidewalks on the streets around the Capitol square. Work is being pushed on our streets very rapidly at the present time, and as soon as we dispose of the bonds we shall increase the force and push the work more rapidly than ever. All of which is respectfully submitted. JOHN C. DREWRY.

### A SAD STORY.

#### Mr. George Freeland's Prospective Bride Dies in Texas.

The Winston Journal has the following sad story of the death of the prospective bride of a popular engineer.

"A Journal reporter learns that Geo. Freeland, an engineer who runs between Spencer and Selma on the Southern, and who has in the past been on the Winston-Salem run, got leave of absence a few days ago to go to see his sweetheart who was visiting in Texas. He got as far as Atlanta, and not having a health certificate was quarantined there, and before he could get away the news came to him that the young lady had died of yellow fever where she was visiting. She was a resident of this State, but her name could not be learned. She was to have been married to Mr. Freeland in a few months had she lived."

### Notice to Subscribers.

Our carriers will, beginning with tomorrow and thereafter, call upon our subscribers every Saturday, for the week's subscription—five cents. This manner of collecting subscription is an innovation in Raleigh newspaper enterprise, but we are glad to announce that it is meeting with the most sanguine results. Please be ready for the carrier when he calls.

### At Governor's Mansion.

The Woman's Temperance Union promise the public a delightful social evening and lawn party from 4:30 to 10 o'clock this morning. Refreshments will be served during the hour. Everybody is cordially invited. Music by the band.

## SHOULD PAY SALARY

### Old R. R. Commissioners Win a Point.

## AN OFFICIAL OPINION

### ATTORNEY GENERAL ANSWERS INQUIRY FROM THE AUDITOR.

#### Major J. W. Wilson and Mr. S. Otho Wilson are de Facto Officers, and Should be Given Their Official Emoluments.

In answer to an inquiry from Auditor Ayer, as to whether the Railroad Commissioners whom Governor Russell recently suspended from office, but who refuse to acknowledge the legality of such suspension, were entitled to their salary, Attorney General Waiser has delivered an opinion in favor of the old Commissioners, Messrs. James W. Wilson and S. Otho Wilson.

This opinion of the Attorney General, to which we allude, is quite exhaustive—six type-written pages of legal cap size—and cites numerous authorities, bearing on the subject, which lack of space forbids us to set forth.

In stating his conclusion, Mr. Waiser says: "It is clear from the statutes just quoted that it is your legal duty to issue a warrant for salary to the commissioners who are actually engaged in the discharge of the office of Railroad Commissioners. In so doing, no harm or loss can come to the State, or to either of the parties claiming to be rightfully entitled to the office of Railroad Commissioner."

Being curious to know if this opinion was binding upon the Auditor, we asked to be informed on the point. In reply, Mr. Waiser called our attention to an opinion delivered by Benjamin Harris Brewster, Attorney General of the United States. This will be found in the printed volumes of opinions of the United States Attorneys General, vol. 17, page 338, and says: "While it is the duty of the Attorney General to give his opinion upon questions of law arising in the administration of any Executive Department, at the request of the head thereof, such duty ends with the rendition of the opinion, which is advisory only.

The Attorney General has no control over the action of the head of department to whom the opinion is addressed, nor could he with propriety express any judgment concerning the disposition of the matter to which the opinion relates, that being something wholly within the administrative sphere and direction of such head of department."

When questioned as to what action he would take, Auditor Ayer said that, at present, it was his intention only to pay the old Commissioners' salaries up to the date of their suspension. When the suits were brought into court, he said, his course would probably depend upon the bonds which were given by them.

### FOOT-BALL AT CHAPEL HILL.

#### The A. and M. Boys Will Meet Them on the Gridiron To-morrow.

To-morrow morning about 3:30 a. m., the Agricultural and Mechanical College foot-ball team and one hundred "rooters" will leave for Chapel Hill, where they will play the University team. The A. and M. boys do not expect a victory, as the team is not a very strong one so far this season.

On Monday, October 11th, the A. and M. team will play the Richmond College team, of Richmond, Va.

### Musical at Mrs. Holleman's.

There will be a musicale at Mrs. Holleman's Tuesday night, October 5. The programme for this occasion has been arranged and the very best talent in the city and from the schools has been called into requisition. Our people seldom have an opportunity to enjoy such a musical treat as is now in store for them, and all who love good music should arrange to attend this entertainment. After the musicale dainty refreshments will be served and the remaining hours given to social enjoyment.

### Bishop Cheshire Back.

The Rt. Rev. Joseph Blount Cheshire has returned from Europe, where he has been for several months past. During his absence he attended the Lambeth conference, and other important gatherings of the Church of England. He appears to be in excellent health, and it will be a source of gratification to his many friends throughout North Carolina to hear that he has arrived safely.

### RALEIGH HEALTH REPORT.

#### Our City Makes a Good Showing for the Past Month.

The report of Sanitary Inspector Sale for September, shows deaths registered at the Health Department as follows: Whole number of deaths, 21; whites 13, colored 8. Of these one was under one year of age, and three over 70. It will be observed that this is a slight increase over August, and is due to the fact that ten of those dying died with diseases that were chronic and incurable, namely: 3 with Bright's disease, 3 with consumption, 2 with cancer, and 2 with paralysis. There were 8 deaths of children under one year of age from enterocolitis, brought on by the extreme hot weather. There were two deaths at Rex Hospital. These were patients brought here from elsewhere for treatment.

By reference to reports of former years it will be observed that the whole number of deaths for 1895, commencing April 1, and ending September 30, six months, was 168. For the same period in 1896 it was 159, while for 1897, it was only 96, which is a decrease in our death rate of forty per cent as compared with 1895 and 1896. The number of deaths from typhoid fever for those months in 1895 was 13; in 1896 it was 8, while for the corresponding months in 1897 there has not been a single death resulting from it. The number of cases reported during the months mentioned were: In 1895, 38; during the same period in 1896, there were 28 cases, while for 1897 there has been only 12 cases reported, showing an average decrease of 75 per cent, as compared with 1895 and 1896.

Births for the month of September were reported as follows: Whole number 23—white, 19; colored, 11.

Mr. Sale reports the city as in a clean and healthful condition. This, however, is unnecessary, as reports for the year show this to be a fact, and further indicates that the summer of 1897 will pass into history as the healthiest the city of Raleigh has ever enjoyed.

### WAKE SUPERIOR COURT.

#### Some Severe Penalties Inflicted by the Judge-Hester Case on Trial.

Court met at 9:30 o'clock this morning, Judge Robinson on the bench, Solicitor Poy prosecuting, Sheriff Jones and Clerk Tonoffski at their posts of duty.

The following cases were disposed of: State vs Wm. Scott, a d w, verdict of guilty, judgment \$100 fine and costs.

State vs Barney Farrington, resisting officer, called and failed, judgment nisi, and capias.

State vs Lewis Brooks, rocking train, guilty, open for judgment.

State vs Frank Woods, larceny, verdict of guilty, judgment reserved.

State vs Moses Williams, two cases of larceny, verdict of guilty, judgment six years on the roads.

State vs Fletcher Norris, larceny, verdict not guilty, defendant discharged.

State vs Sam Mitchell, larceny, verdict guilty, judgment four months on the roads.

State vs George Hutchings and Blake Brimley, rocking train, verdict guilty, judgment not yet pronounced.

State vs Clem Clark, larceny, verdict not guilty, defendant discharged.

State vs William Jones, false pretence, continued to January term by consent.

State vs Ben Keith, Jim Keith and Bunn Keith, assault, continued and instant capias ordered.

State vs John Temple and Lavinia Temple, fornication and adultery, continued to January term and capias.

State vs Thomas Hester, perjury, called for trial, jury empaneled, and pending the taking of testimony court took a recess till 3:30 o'clock. This is one of the many cases growing out of the Robinson-Hester seduction case tried at the last term and pending an appeal in the Supreme court.

### QUO WARRANTO.

#### Attorney-General Grants Caldwell and Pearson Permission to Sue.

Messrs. L. C. Caldwell and John H. Pearson have instituted proceedings of Quo Warranto to sue for their seats on the Railroad Commission Board, to which they were appointed by the Governor. The Attorney-General has granted them permission to sue, as the law requires him to do in such cases, when a proper bond is filed.

### R. A. White & Co.

We call the attention of our readers to the advertisement of Messrs. G. A. White & Company in this issue. They deal in fancy groceries and oysters, and our readers will do well to give them a call when in need of anything in their line.

## THAT STOLEN VALISE

### Deputy Collector Jones Causes Arrests.

## IDENTIFIED BY DRIVER

### ALSO HELD FOR OBSTRUCTING REVENUE OFFICERS IN THEIR WORK.

#### A Preliminary Hearing Will be Given Them Next Tuesday Before U. S. Commissioner Bullock, of Franklinton.

Gordon Green, Byron Strickland and Buck Knight, of Youngsville, stand charged with the robbery of Deputy Collector J. Wiley Jones's valise. They were arrested and taken before United States Commissioner Bullock, of Franklinton, yesterday, and gave bond for their appearance next Tuesday, when the preliminary hearing will take place. This is the robbery reported in the Times upon his return from Youngsville Wednesday, Deputy Jones learned of the loss of his valise and the treatment of the driver. Suspicion at once rested upon Green and his associates, and Deputy Jones left with the driver yesterday for Youngsville. The driver identified the accused as the men who had given him such a scare and taken Deputy Jones' valise.

These same parties are also accused of the serious crime of obstructing revenue officers in the discharge of their duties. The preliminary hearing in the case of Gordon Green and the two negroes—Joe Mangum and Joe Grissom—was heard before United States Commissioner Bullock, of Franklinton, yesterday, and were bound over to the next term of the Federal court.

### ARNOLD-WELLES PLAYERS.

#### The Record Breakers at the Metropolitan Opera House All Next Week.

The following is from the Columbia Register, Sept. 14:

There is no denying the fact that the Arnold Welles players opened their recherche performance last night to the largest audience which has filled the opera house in many seasons. "Hand and Glove" or the "Rival Detectives," a screaming four act farce comedy, was the play presented, and the meritorious and high manner in which it was rendered gave evidence of the fact that the company is strictly "up to date," and was a rare attraction. Every seat was sold long before the rising of the curtain, and many found standing room comfortable for no other reason than they were kept in one continuous roar of laughter from the beginning to the end of the performance. There was not a dull moment during the rendition of the popular play, and not only was it replete with comical doings and sayings, but also can it truly be said that the realities were as strikingly entertaining as they were peculiar and refined.

The most amusing and entertaining character is Mr. Harry Arnold, who never failed to please his hearers. He made the decided hit of the evening, and is an artist in his profession.

Miss Lula Espey, the star of the troupe, has a winning and graceful disposition, and as "Lucy Lezboro," she was a decided success.

Ladies free Monday night, October 4. Seats now on sale at King & Co.'s drug store.

### The Weather.

For Raleigh and vicinity, fair to-night and Saturday.

Forecast for North Carolina, fair to-night and Saturday.

The weather remains clear over the entire country except southern Florida, where some rain has fallen. The storm in the Gulf, however, has nearly disappeared.

The barometer is highest in the Ohio valley and north of the Lakes, with clear, dry weather everywhere.

Throughout the east the winds are variable, but west of the Mississippi are generally from the south.

### SEPTEMBER BULLETIN.

#### Interesting Facts About North Carolina Mills.

The September Bulletin of the North Carolina Agricultural Experiment Station was issued yesterday. It is double the usual size, and in addition to the other usual matter, contains a list of all the mills and factories in the State.

It gives 224 cotton and woolen mills as follows:

Gaston, 22; Randolph, 19; Alamance, 19; Mecklenburg, 15; Richmond, 12; Guilford, 11; Cleveland, 8; Cumberland, 8; Durham, 8; Lincoln, 8; Sarry, 8; Catawba, 7; Rowan, 7; Cabarrus, 6; Rockingham, 6; Montgomery, 4; Rutherford, 4; Forsythe, 3; Halifax, 3; Iredell, 3; Wake, 3; Alexander, 2; Anderson, 2; Buncombe, 2; Burke, 2; Caldwell, 2; Chatham, 2; Davidson, 2; Edgecombe, 2; Franklin, 2; Henderson, 2; Moore, 2; Stanly, 2; Union, 2; Ashe, 1; Craven, 1; Haywood, 1; Lenoir, 1; Nash, 1; New Hanover, 1; Orange, 1; Polk, 1; Robeson, 1; Vance, 1; Wayne, 1; Wilson, 1.

The Bulletin says "the total number of cotton spindles is 1,059,979. From the best information we can get, they can spin daily into No. 20 yarn 529,989 pounds, or one half pound of raw cotton for each spindle, or altogether 1,111,427 bales of 477 pounds each; or during the year of 300 days, 333,326 bales, lacking 2,925 bales of being as much as was produced in North Carolina in 1889, that year producing 336,261 bales. The day is not far distant when North Carolina will be able to spin and weave every pound of cotton it raises."

The Bulletin also gives a list of miscellaneous mills and factories in the State. There are 1,023 establishments in the list.

In addition to that the registered and blooded stock—horses, cattle, sheep and swine—are given, with name and address of owner.

Altogether it is a very valuable publication.

### THE BOSTONS WILL BE CHAMPIONS.

#### The Orioles Gave Them a Chase for the Championship.

Brooklyn, N. Y., Sept. 30.—Although Boston has some time gone to play with Brooklyn and Baltimore will play two more with Washington at the Monumental City, the race for the league pennant of 1897, practically came to an end with the conclusion of to-day's game at Eastern Park. Boston won the game while Washington trounced the Champions, which leaves Boston the undisputed champions for 1898. Even should Baltimore win both their games they can only attain a percentage of 700 points. Should Brooklyn win from Boston Saturday the latter would still have a percentage of 704.

The excitement at to-day's game was extraordinary. In the second inning, when the Boston scored five runs which gave them a safe lead, men and women alike arose in their seats and yelled frantically. When the lead became so great that there was no more hope for the home team, the most faithful joined the Bostonians and their rosters and for a time nobody could hear anything else but people yelling "B-o-s-t-o-n!"

Young Dunn was put in the box to fool the new champions but Capt. Griffin might as well have stood up a wooden man. The team Esters had their batting clothes on, and the faster Dunn tossed them across the plate the harder Capt. Duffy's men could line the leather out. The only trouble was that the batting was all on one side. The home team could do but little with Kober's, the Boston twirler. About the only time they hit him with any effect was in the third inning, when they scored all their runs. The fielding, like their batting was also one-sided. Brooklyn made only four actual errors, then some of the players were guilty of the most stupid playing seen in many days. Boston's work in the field was simply marvelous. Nothing seemed too hard for them to get. Lowe and Long alone cut off four hits by their brilliant fielding.

### Bertha Creighton Last Night.

Miss Bertha Creighton is a pleasing and captivating actress, and makes a pretty and lovable Juliet. Her admirable conception of this character at the Metropolitan Opera House last night made her many warm admirers as an actress. The audience was well pleased with the show.

### Mayor's Court.

A colored woman was put under a fifty dollar bond to appear at the next term of the Superior Court and answer to the charge of slander.

A man and woman, both colored, were fined \$3.25 each for being drunk and disorderly.