TILTS BETWEEN COUNSEL.

The Feature of the Day's Proceedings in the Massey Libel Suit.

THE ADMISSIBILITY OF LETTERS

The Bone of Contention—Every Inch of Ground Contested—Capt. Wise Makes Use of Such Words as "Liars," "Scoundrels" and "Partners in Crime" During His Argument.

NORFOLK, VA., July 8.—Special.—The third week of the greatest libel suit ever tried in Virginia, perhaps in the South, began at 10:30 o'clock this morning with a "crowded house." Thirty minutes before the arrival of Judge Prentis the Circuit Court-room was completely full, and from that time on people wedged themselves in. The big electric fan moved around rapidly, but the atmosphere was close, and the people fanned with hats, handkerchiefs, and palm fans, and perspired profusely. But not a man budged, save a few whose corns made it necessary to shift the weight of the body from one foot to another occasionally.

The judge and jury looked as though they had been refreshed by a day's rest. The witnesses, in the main, were as chipper as one could desire to see such under similar circumstances. Their attendance is not remunerative, from a financial point of view, but they are apparently as anxious to see and hear the case through as any citizen of Norfolk. Very few from a distance have left the city.

Colonel Waddy T. James, of Franklin, who had a personal difficulty with Mr. Massey some years ago, is still here. He demurs to the practice of the reporters in alluding to him as an old man, and says that as he is a widower, the newspapers are calculated to injure his prospects in the matrimonial line at home. The Colonel's hair and whiskers—and he has an abundant supply—are silvered over, but he contends that age has had naught to do with the process of changing their color. Asked by a Times man how he accounted for it, he answered: "Early frost, sir; early mountain frosts. If you don't believe it, just go up in Franklin and try it." As the scribe has few whiskers and less hair, he declined the invitation for the Colonel's sake.

THE END NOT IN SIGHT.

It is altogether problematical, at this writing, when the last of the evidence will be in. One of the defendants was asked to-day how long it would take to finish up their testimony, and answered: "That depends; probably several days yet." It is reasonably certain that the plaintiff will take a week. Mr. Massey will, it is believed, be kept on the witness stand two days, if not longer. The biggest legal battles of the trial will be over him and what he desires to say. The defendants will put him through a most searching and protracted examination, including many questions, over the admissibility of which there will be long wrangles by counsel.

Mr. Massey is anxious for this ordeal. There is nothing in the anticipation of it that is the least terrifying, and it is predicted by his friends that he will emerge from it with credit to himself and great help to his cause.

Captain Wise asked the Court this morning if he was ready to pass on the admissibility of the evidence, respecting the matter of bribery, taken under advisement by the Court last Saturday.

Judge Prentiss announced that there was another authority that he wished to examine before announcing his ruling in the matter, and asked if either of counsel could furnish this authority, a New York report.

Mr. Thom said it could not be found in Norfolk.

Captain Wise said he had it in his library in New York, and he would, if his Honor desired, telegraph for it. Judge Prentiss expressed his gratification at the offer, and the telegram was sent at once.

A LETTER RULED OUT.

Mr. Lucius H. Leach, of Washington, was again called to the stand by Captain Wise, who handed him a letter, and asked him if the signature was that of J. W. Womack. Plaintiff's counsel objected, and the jury was sent out to give opportunity for argument. Captain Wise led off by claiming that the defence had proved by three State senators, four Commonwealth's attorneys, four members of the Legislature, that John E. Massey was a man of bad reputation; so bad that they would not believe him on oath; and, further, had proved that he had traveled with Womack, and that he had deposited money in a suspicious man. The Captain then went over the testimony in detail—their poverty, the sudden affluence of plaintiff, the condition of his bank accounts, the revenue from his "little farm" of 65 acres, all which showed, said counsel, that there was something "rotten in Denmark." Further, the character of Womack had been shown, and Massey's association with him. Evidence tending to show conspiracy was nearly always circumstantial, the Captain said, and that he proposed to show conspiracy, and to follow it up by showing that Womack and Edwards knew facts out in the State of Washington that no one else knew; that Massey was in consultation with them at all times, and that he could not do so except step by step.

Judge Prentiss informed Captain Wise that he was willing to admit the evidence if it was introduced in a different order; that certain things, which, he cited, should be proved first, and the conspiracy afterward.

Captain Wise said all the authorities agreed as to his right to control the order of the introduction of his own testimony, so long as in accordance with lawful procedure. This laid upon the question of malice charged against R. E. Byrd, and the letter was to prove that Mr. Byrd had evidence to support his belief. His Honor had allowed Byrd to say on the stand that he believed certain things to be true, and now he should be allowed to show why he so believes. It was impossible to prove bribery unless allowed to show who was the briber.

Mr. Neely: Then why did you charge it?

Captain Wise (hotly): Because, sir, it is true; that is why we charge it. And (shaking his finger at Mr. Neely), it ill becomes counsel on the other side, who has so tragically exclaimed 'turn on the light,' to be more objecting upon every occasion possible and endeavoring in every way possible to 'turn off' the light."

During Captain Wise's impassioned argument people from the outside crowded into the court-room, which was soon packed almost to suffocation, despite the work of the big electric fan.

Judge Prentiss ruled out the letter.

ANOTHER LEGAL TILT.

Captain Wise: I wish the stenographer to take down now, exactly what I propose to prove.

The Captain, then, with deliberation and emphasis, announced the various facts that he intended to establish by evidence and asked the Court if he proposed to exclude all of that testimony.

Judge Prentis asked the stenographer to read what he had taken down again, and then requested Captain Wise to read the letters, which were very damaging to the plaintiff.

Mr. Neely asked his Honor, inasmuch as the jury had been excluded during the argument and the reading of the letters to direct the reporters that they must not publish the matter contained in these letters (provided his Honor ruled out the evidence).

Captain Wise immediately objected to honor's making such a ruling, stating that he proposed (if the testimony was ruled out), to have the facts and the matter of the letter and his Honor's ruling on that point published to the world; that it was his privilege, and his Honor had no right to restrict the publication.

Judge Prentiss overruled Mr. Neely's request touching the reporters.

His Honor then ruled that whatever had transpired in Virginia between Womack and Massey was admissible, but that matters occurring out in Washington State or other far-off points, regarding another bribery, could not be admitted; that letters to Womack tending to prove conspiracy were admissible.

Before he concluded, however, Mr. Neely arose and endeavored to change the ruling as regarded the part that his Honor had indicated as admissible.

Mr. Thom asked his Honor whether, if it could be shown that the matter should be ruled out, his Honor would not, in his desire to rule correctly and with all the light possible on these points, feel that his committal on this point was not binding and could be rescinded?

Judge Prentiss stated that he would change his rulings if he thought he was justified in doing so.

Mr. Thom argued that none of the evidence was admissible; that Mr. Massey was not responsible in any way for what the American Book Company might write to somebody else about Mr. Massey, unless Mr. Massey was himself a party to the saying; that unless what had been said was brought home to Mr. Massey it was not competent evidence against him. He (Mr. Thom) thought that the admission of the evidence might tend to drag into this case a thousand issues that illegally might militate against the plaintiff, that it might make necessary the proof that bribery took place in the State of Washington.

Captain Wise: We wish you would drag that in. We are prepared to show the bribery that took place out there.

Mr. Thom: We don't propose to be compelled to go into that matter, which is not an issue in this case.

Captain Wise: No, you will go slow on that matter.

Mr. Thom continued to argue his interpretation of the law to sustain the position taken by the plaintiff's counsel on this point.

A HEATED DISCUSSION.

Captain Wise stated that he did not propose to drop this point and lose this necessary and lawful evidence in this case without every effort possible on his part to bring it before the jury, and cited an array of legal authorities in support of his contention that the evidence was competent, the chief among them being rulings on evidence. The authorities gave him the legal right to show the connection of this plaintiff with J. W. Womack, and, in that connection, Womack's engagements in bribery in any State in the Union. His Honor, in desiring to protect this old man (John E. Massey) from the admission of any illegal testimony had gone too far when he excluded the testimony of what he (Captain Wise) had stated he proposed to prove by this witness. Captain Wise stated frankly to his Honor that he believed that he (Wise) was right and that his Honor was wrong.

In answer to a remark by Mr. Thom, Captain Wise replied with heat:

"Yes, sir, I am holding on to this point, and I never propose to let it go until I am put down by his Honor (turning to the Judge). I know, your Honor, that you mean to rule right. I do not believe you intend to wilfully rule in favor of the plaintiff, and I want, therefore, to assist your Honor as much as possible on this point, for, in my opinion, your Honor's ruling is wrong in this matter, and I submit that the testimony should be admitted."

Mr. Walke argued strongly to the effect that the counsel on the other side were attempting to bring a specific act of bribery on the part of others in the State of Washington to assist in proving the charge of bribery against John E. Massey in Virginia; that specific acts in the past could not, under ruling already made by his Honor, be used to prove this charge against the plaintiff; that conspiracy between Womack and Massey had not been proven, and that Womack's acts should not under law be admitted to affect John E. Massey's case. One of the letters ruled as admissible was the letter from the American Book Company to Edwards, in Washington State, stating that they did not know what had become of Womack; that he was, perhaps, dragging out a miserable existence somewhere in Virginia.

Mr. W. H. White here asked the Court's permission to say a word, stating that he was counsel for the American Book Company; that he hoped he would not be compelled to take part in the case, but that after the grave and damaging accusations made by counsel for the defence against his clients, he felt it his duty to take a hand, and asked his Honor to restrict counsel for the defence as to his accusations in regard to the American Book Company, unless that company were made a party to the record and allowed to disprove the charges.

Captain Wise objected to any restrictions from his Honor and asked that the American Book Company be made a party to the suit, that the defence would be happy to have them made a party, for then they could go into their record and show them up in full.

THE COURT'S RULING.

Judge Prentiss stated that the counsel knew that the American Book Company could not be made a party to the record, and he could not restrict the counsel in his criticisms. Mr. White commenced to argue on the point further, but the judge motioned him to be seated.

Judge Prentiss now finally ruled on the point of the admission of the evidence relating to Womack's actions and declarations in the State of Washington, and their connection with John E. Massey and this case, admitting some of the letters and evidence and ruling out others.

The defence excepted to the ruling.

The jurors were now recalled into court.

Captain Wise continued to examine Mr. Leach, beginning where he left off when the legal battle on the admission of the testimony began, the question following being an endeavor on the part of the defence to work in the evidence embodied in the matter already ruled out. Such questions were consequently excepted to as fast as they were put to the witness, and out of every five questions put to this witness not more than one was admitted by his Honor as competent. The following is a sample of the questions and of what followed in regard to most of them:

"Do you know the facts and circumstances upon which the indictment of J. W. Womack was based?"

A. I do.

"What are those facts?"

Plaintiff: We object.

Defence: I except.

The plaintiff's counsel declined to cross-examine Mr. Leach, and he left the stand.

Captain Wise now read the deposition of Charles T. Patton, the vice-president of the University Publishing Company of New York, which stated the nature of his interviews with John E. Massey on the school-book question, and at time and place held; that at the meeting of the State Board, held in Richmond, Va., the day after the unveiling of the Lee statue in 1890, the school books were adopted; that he understood that his house was to be allowed to compete, but that the board did not notify them that the adoption was to take place.

Another trap was sprung by Captain Wise to-day in his endeavor to get in the testimony relating to the publication in the New York World reflecting upon John E. Massey. The attempt was ineffectual, and later it was found that the whole testimony had been worked in by the deposition of Mr. Patton, the matter having been brought out by Mr. Thom while cross-examining the witness, and he (witness) being a witness for the defence, and the matter being opened by the plaintiff, it was admissible.

CAPT. WISE'S PLAIN LANGUAGE.

The deposition of A. Lovell, a publisher in New York city, was next read. This deposition, among other things, showed that the deponent had given J. W. Womack $300 as compensation for his influence in securing the adoption of his copy-book (Graphic) in the State of Virginia, and while reading this deposition (points of which have yet to be ruled on by the Judge), the jury were dismissed until to-morrow at 10:30.

Captain Wise continued to read the depositions, and concluding, asked that they be admitted as showing further conspiracy between J. W. Womack and Mr. Massey.

Mr. Thom objected, and another technical battle, participated in by Messrs. Wise, Neely, Walke, and Thom, followed.

During the argument for the admission of the deposition of Mr. Patton, which contained the New York World article against Mr. Massey, the discussion for the second time brought forth arraignments of J. W. Womack and John E. Massey by the defence. The strongest possible invectives were used by Captain Wise in stating what he had proved and proposed to prove against them, such expressions as "the briber and bribee," "liars," "scoundrels," and "partners in crime," being tolerably freely used. During the argument Mr. Massey faced Captain Wise and watched him closely, while J. W. Womack sat close behind the Captain and listened attentively. The harsh accusations did not seem to have much effect upon either of them.

Mr. White, of White & Garnett, attorney for J. W. Womack and the American Book Company, sat just behind the plaintiffs' counsel, and now and then prompted them during the debate upon the technical points.

The argument on admission of the depositions was still being waged at 3:30, when court adjourned.

This was decidedly the liveliest day in the long trial. The attorneys were at their best, and Messrs. Wise, Thom, and Neely used sharp language.

Dr. W. W. Parker has a letter from Rev. Dr. W. G. Starr, saying the superintendents of Sunday schools in Petersburg are interested in the collection of funds for the Davis monument. The Doctor received a letter from San Francisco yesterday asking for copies of his address to the children of the South, and promising aid.

Mrs. J. T. Hill left the city Saturday evening to visit friends and relatives in Baltimore.

FOUND A RARE JEWEL.

A NEW JERSEY MAN WRITES TO ASCERTAIN ITS OWNER.

Work on the State Central Hospital—Bishop Van de Vyver to Bless the Bell. Other Cockade City News.

PETERSBURG, VA., July 8.—Special.—Mr. German B. Gill, clerk of the Common Council, has received the following letter, which speaks for itself:

Newark, N. J., July 6, 1895.

To the City Clerk of Petersburg, Va.:

Dear Sir,—I have a beautiful enamelled stud-button, which I found on the battle-field in 1864. The initials on the back of the same are "W. R. H. to E. T. T." Now, if you can anyway discover the owner or any of the relatives, I would be pleased to have them get it. I reside at 72 Wakeman avenue, Newark, New Jersey. ANDREW KNECHT.

The making of an addition to the State Central Hospital was begun to-day when the carpenters' work was begun. The brick work will be commenced on next Wednesday. This new addition will have thirty cells. It is expected to have the building completed within four months. Mr. J. C. Rowell, of this city, is the contractor.

The contract for building a large mill for the Roanoke Improvement and Power Company at Roanoke Rapids, a few miles from Weldon, will be awarded at Roanoke Rapids to-morrow afternoon. It is understood that the bidders for the contract are from Richmond, Lynchburg, Danville, and St. Louis. The mill, it is learned, is to cost somewhere in the neighborhood of $75,000.

THE WORK OF THIEVES.

Some time last night the Alliance store, on Sycamore street, was broken into and robbed. This is the second time that this store has been robbed inside of a month. Each time the thief or thieves got in by breaking the glass of the front door.

Mr. Charles H. Cuthbert, Sr., is critically ill, with little or no hopes of recovery. He has been unconscious for the past two or three days. Mr. Cuthbert is about sixty-six years of age and a native of Petersburg. He has carried on the insurance business here ever since the close of the war.

Bishop Van de Vyver, of Richmond, is to bless the bell of St. Joseph's Catholic church to-morrow morning at 8:30 o'clock. After the ceremony of blessing the bell is over, it will be placed in the belfry. The bell was given to the church by Mr. James Bangley, and weighs 1,821 pounds. The new church is approaching completion, and when finished it will be one of the handsomest places of worship in the city.

A LECTURE BY DR. BROWN.

Dr. D. M. Brown, superintendent of the public schools of Petersburg, delivered a lecture to-day before the teachers in attendance upon the summer normal of the Virginia Normal and Collegiate Institute. The lecture was an able and interesting one, and was heard with pleasure and interest.

A negro excursion party, filling sixteen coaches, arrived here to-day from Norfolk. The steamer Ariel also brought to Petersburg about two hundred colored excursionists from Richmond.

Chief of Police Perkinson received a telegram this morning from the police of Norfolk, to arrest a white boy named Banks on the arrival of the negro excursion train here. A boy, answering somewhat the description given, was arrested, but he says he is not the party wanted. He says his name is not Banks, but Charlie Beck.

The H. A. Wise and W. H. F. Lee Camp of Confederate Veterans, of Lunenburg county, of which General Stith Bolling, of Petersburg, is commander, held a meeting at the county court-house to-day, and voted to hold a reunion there September next.

The Opening German.

YELLOW SULPHUR SPRINGS, July 8.—Special.—The opening german at the Yellow Sulphur on July 4th, was a delightful affair in every particular.

The german was led by Cadet Major A. H. Apperson, of Blacksburg, in his characteristic, graceful and pleasing manner.

The chaperons of the evening were Mesdames J. M. McBryde, Blacksburg College; J. T. S. Reid, Norfolk; Alex. Black, Blacksburg; Thomas Christian, Lynchburg; John Hampton Hoge, Blacksburg; James Otey, Blacksburg. The dancers were Miss Katherine Bentley, Blacksburg, with Cadet Major A. H. Apperson; Miss Susie McBryde, Blacksburg College, with Cadet Captain C. G. Guignard; Miss Kyle Reid, Norfolk, with Cadet Lieutenant B. D. Miller; Miss Sadie Grymes, Richmond, with Cadet Major F. D. Wilson; Miss Loula Reid, Norfolk, with Cadet Captain and Adjutant W. P. Waddy; Miss Margaret Reid, Norfolk, with Mr. W. B. Ellett; Miss Alice Moore, New Orleans, with Mr. W. W. Burton; Miss King, New Orleans, with Mr. Walter Jones; Miss Alice Gordon, New Orleans, with Mr. H. Robinson; Miss H. C. Miner, Richmond, with Mr. W. L. McGoback; Miss A. P. Iserall, New Orleans, with Captain J. R. Holt; Miss B. Iserall, New Orleans, with W. E. Jouste; Miss Mary Field, Petersburg, with Professor J. B. McBryde; Miss Carrie Prior, Petersburg, with Cadet Lieutenant J. W. Sample; Miss Duncan Williams, Lynchburg, with Cadet Lieutenant Leslie D. Kline; Miss N. McBryde, Lexington, with Mr. J. M. McBryde, Jr.; Miss C. E. Gordon, New Orleans, with Cadet Lieutenant Patrick.

A HEAVY BOND ISSUE.

It is Reported That the Pennsylvania Railroad Has Placed £1,000,000.

PHILADELPHIA, PA., July 8.—It was announced this afternoon that the Pennsylvania Railroad Company had placed with a firm of bankers in London 1,000,000 pounds of sterling consolidated 3 1-2 per cent. bonds, maturing 1945, price not stated.

Inquiry at the office of the company elicited the fact that while negotiations have been pending for the sale of the bonds, no notification of the deal being closed has been received up to the close of business, but was momentarily expected. It is understood that the money is to be used to take up certain mortgages falling due January next, among them being $1,000,000 West Jersey first-mortgage 6's and several State loans on branch roads in the vicinity of Pittsburg.

An officer of the company explained that the object in making the loan at this time was to reap the advantage of the abnormal ease of the money market, and thus effect a large saving in inter-payments.

POLLARD MURDER TRIAL.

The Prisoners to be Arraigned on Thursday—A Military Escort.

LUNENBURG C. H., VA., July 8.—Special.—County Court convened to-day at 10 o'clock, Judge G. C. Orgain presiding. The day was consumed in empanelling jurors, chancery business, and trying petty cases.

A large crowd of spectators were in attendance, prompted through interest and curiosity in the Pollard murder case, which, your correspondent learned from Commonwealth's Attorney W. H. Coblett, would be called next Thursday. On instruction of the county sheriff and Commonwealth's Attorney, Judge Orgain will issued an order for the aid of a military company to escort the alleged murderers of Mrs. Pollard to Lunenburg Courthouse.

Supreme Court Proceedings.

WYTHEVILLE, VA., July 8.—Special.—National Mutual Building and Loan Association of New York, against M. J. Ashworth. From Washington county. Partially argued by Judge W. F. Rhea for appellant, and J. S. Ashworth for appellees.

Curious Crowds at Funerals.

To the Editor of The Times:

Sir,—At a number of funerals I have recently attended there has been serious inconvenience to the afflicted family and their friends by the crowding about the grave of a miscellaneous multitude of curious people, who gather to witness the interment; and in one case a grave has been stripped of the floral decorations in a shameful manner. All this is wrong and revolting. Why should the sacred depositories of the dead be allowed to become the rendezvous of idlers, and a place to gratify vulgar curiosity? We have parks enough for all without the cemeteries being turned into pleasure-grounds. The managers of the cemeteries ought to pass rules allowing no visitors to enter the gates without a ticket to be had gratis at the city cemetery offices. Tickets good for one day or week could be given, and lot-owners could get season tickets. This is the rule in many cities of the United States.

We attach no blame to cemetery superintendents nor to their cemetery guards. They cannot be ubiquitous, and depredations are committed in spite of all their vigilance.

When a funeral procession is approaching an open grave, it is shocking to see a crowd rushing towards it from all directions to gratify their morbid curiosity by witnessing the grief of the mourners. This ought to be stopped. Let us have a rule admitting no one without a ticket. PASTOR.

Richmond, Va., July 8, 1895.

PERSONAL AND GENERAL.

Interesting Facts About Richmond's Citizens and Other Matters.

Mr. Allen E. Warren spent Sunday at Virginia Beach.

Miss Dena Angel, of Wilmington, N. C., is visiting friends in this city.

The condition of Rev. Dr. Gammon was considerably improved yesterday.

Mr. James Kane is critically ill at the home of his sister, No. 2815 east Main street.

Alex. J. Field, a prominent young lawyer of Oxford, N. C., is in the city on business.

Mrs. W. Wallace Rowe and Miss Elinor C. Rowe have gone to Crozet, Va., to stay until the fall.

The annual meeting of the Mechanics' Institute will be held to-night at 8:15 o'clock.

There will be an excursion down the river to-night under the auspices of Damon Lodge, K. of P.

Mr. Floyd Doughty has returned home after spending a pleasant time in James City county with friends.

Mildred George was arrested in the Second district yesterday by Officer Lance for fighting in the street.

The condition of Captain H. T. Miller was regarded as more favorable yesterday than for several days past.

The members of St. Benedict's Society of St. Mary's church held their annual picnic yesterday at Seven Pines.

Union-Station mission Sunday school will give their first annual basket picnic at Cunningham's farm to-day.

The regular meeting of the Academy of Medicine and Surgery will be held at the Y. M. C. A. to-night, at 8:30 o'clock.

The Masonic Home has moved into its splendid new building, situated on the Seven-Pines road, about two and a half miles from the city.

Mr. John Goode, of east Franklin street, after spending several weeks in the country, has returned home, very much improved in health.

Mr. Arthur G. Lewis, passenger agent of the Baltimore and Ohio railroad at Norfolk, is in the city looking after the interests of his company.

The Ladies' Aid Society, of St. Luke's chapel, will give a lawn-party at the corner of Washington and Beverly streets to-night if the weather is good.

The Ladies' Aid Society, of the Fairmont Methodist church, will give an excursion to Ocean View and Virginia Beach, on the 15th of July.

Miss Harris and Miss Hart have returned to their homes after paying a delightful visit to the Misses Williams at their beautiful suburban residence in East Richmond.

The survivors of the "Old First" will meet to-night to elect officers and to arrange for the reunion on the 18th of July, the thirty-fourth anniversary of the Bull Run battle.

Lieutenant George N. Wilson met with a very painful accident on Sunday, dislocating his shoulder blade for the second time. He had not entirely recovered from the first fracture.

Captain John A. Hutcheson has returned from a visit to Afton, Va., where his family are summering. He says the rumor that small-pox was in that vicinity is without foundation.

The ladies of St. Luke's chapel will give a lawn party to-night at the corner of Washington and Beverly streets. This party will be under the auspices of the Ladies' Aid Society of the chapel.

Mr. Alex. K. Schaap left yesterday for Boston, where he will meet capitalists who are interested in erecting a bicycle factory in Richmond. Mr. Schaap will also attend the bicycle meet of the L. A. W. at Asbury Park.

Miss Virginia Gade Conway, of No. 103 north Beech street, expects to leave on Wednesday for Brooklyn, N. Y., to visit Miss Virgie Wyatt, formerly of this city. While away she will visit other points north, and on her return bring Miss Wyatt with her.

Lieutenant Charles Gerhardt, of the United States army, one of the counsel of Colonel Henry C. Jones during the sittings of the court of inquiry, held here several months ago, was in the city yesterday. Lieutenant Gerhardt is at present detailed to college duty in Tennessee.

Mrs. Traylor, who lives at the corner of Twenty-second and Marshall streets, was robbed yesterday morning of $24. She left her pocketbook in the kitchen, and went to the front part of the house. When she returned it was gone. In the pocketbook was a $20 bill, numbered 218, on the Bank of Austin, Texas. No arrests have been made yet.

THE MOZART MUSICALE.

A Large Audience Well Entertained Last Night.

A large and fashionable audience filled the Mozart last night. It was the seven hundred and eighty-fourth musicale, and an eminently successful one it was at that. The following artists were heard:

Miss Leta Stakeley, soprano, Boston; Miss Mary Lockhart, soprano, Philadelphia; Mr. Anton Kaspar, violinist, Washington; Mr. Ernest Lent, 'cellist, Boston; Mr. Douglass Lane, basso, New York; Mr. Jacob Reinhardt, accompanist.

The programme was well chosen, and rendered in charming style and with perfect finish. Miss Stakeley, in the aria from "Travatore," showed that she possesses a soft, sweet soprano, which has been well trained, and which she handles in an admirable manner.

Mr. Kaspar, in the violin solo, "Fantasie Appassionata," charmed his audience. He is a master of his instrument, possessing in a high degree great depth of expression, combined with almost faultless execution. His technique was delightful.

The other artists were equally as charming, and they were warmly received.

The following was the programme, as rendered:

1. Violin, "Fantasie Apassionata" (Vieuxtemps), Mr. Kaspar.
2. Soprano, Aria from "Trovatore" (Verdi), Miss Stakeley.
3. Basso, Recitation and Aria, "In the Woods at Early Morn" (Buck), Mr. Lane.
4. Mezzo-soprano, Aria from "Lucia" (Donizetti), Miss Lockhart.
5. 'Cello, "Lied Ohne Worte," Op. 109 (Mendelssohn), Mr. Lent.
6. Soprano, "Spring Song" (Violin obligato, Wieh), Miss Stakeley.
7. Basso, "Israfel" (King), Miss Stakeley.
8. Violin, Ninth Concerto (De Beriot), Mr. Kaspar.
9. Mezzo-soprano, Valse, "Il Bacio," (Arditi), Miss Lockhart.
10. 'Cello, "Gavotte," Op. 112 (Lee), Mr. Lent.
11. Soprano, "Echo Song" (Eckert), Miss Stakeley.

TROUBLE AT BERRYVILLE.

Governor O'Ferrall Orders Out the Troops to Prevent Lynching.

The trial at Berryville, Va., of Henry Robinson (colored), charged with an attempted assault on a respectable white woman, which has been in progress for several days, has caused great excitement. A mob was organized yesterday for the purpose of taking the negro from the jail and lynching him, and the civil authorities being unable to suppress the mob, Governor O'Ferrall was appealed to for military assistance. He ordered the Monticello Guards, of Charlottesville, to proceed to the scene of trouble, which they did, arriving at Berryville last night. Governor O'Ferrall received a telegram late last night from Sheriff J. K. Briggs, saying that the troops had arrived and all at that time was quiet.

Governor Morrill yesterday summarily removed W. J. Hurd, Populist, from the Board of Directors of the Kansas State Penitentiary, and appointed M. M. Buck, Republican, thereby giving the Republicans control of the board and prison. He has given notice that he will remove the remaining Populist, J. J. Barnes, Saturday. Barnes and Hurd deny the Governor's authority, and will contest his action in the courts.

GOV. M'CORKLE AROUSED.

HE WILL ACT REGARDLESS OF SHERIFF EFFLER.

It is Believed That the Strikers Will be Forced to Act Very Soon—New Men Expected To-Day.

POCAHONTAS, VA., July 8.—Special.—Whilst yesterday and to-day has been quiet throughout the coal region they have not been uneventful. There was a large gathering of strikers at Keystone, their headquarters, yesterday, where speeches were made by Lawless and local leaders. United States Marshal Gordon arrived on the field yesterday with a number of deputies to look after the railroad property in obedience to orders of court. Since his arrival he has sworn in about twenty additional deputies, the number including one or two of the operators. His men are travelling up and down the railroad, seeing that there are no gathering of strikers about the stations. The strikers in the last day or two have received considerable supplies from various sources, and are said to be in better condition in regard to food than at any time since the strike began. They have agents out in all the surrounding country, as well as a boardseeking assistance.

GOV. M'CORKLE AROUSED.

The most important event of to-day has been the apparent determination of Governor McCorkle to act regardless of Sheriff Effler, who seems to be afraid to act. The Governor has maintained heretofore that he could not send troops without a requisition from the sheriff, but to-day Mr. Tierney received two messages from him, in answer to a petition from more than one half of the operators saying that he is tired of the situation, and the strikers must drop their present methods of intimidating, and disarm themselves, or he would send troops at once.

It is said the Governor, in his message, went on to construe intimidation to mean the parading of armed men through the field, though they were guilty of no violence. The message was posted throughout the fields at once, and the strikers are said to have dropped their guns. However, the profess to believe that the message is spurious. This is no doubt a ruse of the leaders to prevent a disintegration of their forces. It is highly improbable that Mr. Tierney, the spokesman for the operators, who is also a member of the Governor's staff, would take the liberty of uttering a spurious message.

New men will arrive to-night and to-morrow morning for several operations. Twenty-five will go to Lick Branch operation, which the strikers have declared shall not work, and from which they induced twenty-seven men last week. Others will go to Vivian, Simmons, and Goodwill. Three operations started to-day, and produced a car or two each. This did not include the whole of their output, a portion of which was reserved to make a larger showing to-morrow.

CLIMAX ABOUT REACHED.

A summary of the events for the past two days seems to indicate that the strikers are being hemmed more and more closely, and that they will be forced to work or get out of the field, or resort to violence to carry their point. The climax is about reached. This some of the strikers admit, and it seems impossible that matters can be postponed much longer. With new men to take the places of the old ones, United States marshals to keep them off the railroad property, and the Governor ready to send troops, work will be resumed or there will be a rumpus.

NO IMMEDIATE DANGER.

CHARLESTON, W. VA., July 8.—Reports from Governor McCorkle's private secretary, who is on the scene of the miners' strike in the Norfolk and Western region, states that everything is quiet. A number of new men went to work this morning. There is no immediate danger, as the labor leaders say they have their men in shape so as to secure obedience to the mandates of the law.

United States Marshal Gordon has a force of deputies along the Norfolk and Western railroad to protect the property of that road, which is in the hands of the United States court.

WHEELMEN ENJOYING LIFE.

The National League Opens Its Sixteenth Session—Nearly 3,000 in Attendance.

ASBURY PARK, N. J., July 8.—The sixteenth annual national meet of the League of American Wheelmen began formally here to-day. Nearly 3,000 'cyclers of both sexes registered at the club-house of the Asbury Park Wheelmen, each receiving upon exhibiting the certificate of League membership, a little cotton badge, which conveys the freedom of the city, and will prove an open sesame to all the varied attractions of this seaside paradise.

A rain fell all the morning, which, while it was perceptible on the white straw hats, was not sufficient to dampen the ardor of the 'cyclists.

At 11 o'clock a western train brought in the Harrisburg Wheel Club, and the Pittsburg wheelmen were met by several hundred 'cyclers at the station, and welcomed with jingling bells and a brass band.

At 2:30 the Denver Wheel Club, seventy strong, whose coming had been announced by telegraph, were received in royal style by 300 'cyclers and the same brass band. After removing their wheels from the baggage cars they were escorted through the city, past local club-houses, and down to the beach. A host of visiting wheelmen joined the impromptu procession, adding an accompaniment of martial melody and hearty applause.

Arriving at the head of Asbury avenue, the parade stopped, and the Denver men gave vent to their pent-up emotions in a characteristic club yell that began with a wild, weird howl, and ended in an Indian war whoop. Along the line of march they were heralded by the singular catchy yell, most familiar to all who were the guests in Denver at the last national meet.

One long, loud voice (indignantly): "Will we work for a dollar a day?"

All (scornfully): "Na-a-a-w."

In the Rocky Mountain delegation were a dozen women and children, who seemed to have enjoyed the long journey from the West.

"Hod" Kenedy, the famous trick rider, and his wife were with the Denverites, and rode prettily together on a tandem of "Hods" design. Almost every racing man in the city was on the track of the Athletic Association at some time to-day, and the big grand stand held many strangers, anxious to observe the work of the men in training and pick the probable winners of the National Championship. Eddie ("Cannon") Baldwin is generally nominated for the half-mile medal, and A. J. Kennedy, Jr., of Chicago, for the two-mile, but these, of course, are the merest speculations.

It is rumored to-day that the meeting of the Board of Trade of 'Cycle Members and the Racing Board of the League of American Wheelmen at the Coleman House here this week will not, as reported, take any consideration of the matter of professional racing, and the Class B men are accordingly breathing easier.

Most of the "B" riders deny the story that they intend to espouse professionalism in a body after the present week, and Eddie Baldwin, who would probably make more by "turning" than any two others in his class, is loudest in disavowing the rumored determination.

The day was almost wholly devoted to the location and reception of visitors.

Two excursions to Long Branch and Spring Lake in the morning and the great parade in the afternoon were followed by a monster clam-bake, tendered by the Asbury Park Wheelmen to the National Division officials of the league.

A banner will be presented to the club having the largest number in line of parade, the Asbury Park wheelmen being barred out.

A FIGARO FABRICATION.

That is the Opinion of the State Department of an Alleged Interview.

PARIS, July 8.—The Figaro prints what purports to be an interview with United States Ambassador Eustis, in which that gentleman is made to say that nothing has been decided regarding his candidacy for the presidency of the United States.

Speaking of the Chino-Japanese war, Mr. Eustis is alleged to have said that he greatly admired the Japanese, and regretted very much that they had not taken Pekin.

Concerning Canada, Mr. Eustis is alleged to have said that it rested entirely with the United States whether Canada would be taken into the American federation. The government of the United States preferred that question to rest, at the same time, however, giving Great Britain to understand that there must be no nonsense, or Canada would be annexed.

In regard to Cuba, Mr. Eustis thought the sympathies of the Americans were in favor of the insurgents, who were giving the insurgents assistance of any kind.

WASHINGTON, D. C., July 8.—The State Department regards the interview of Mr. Eustis, as printed in the Figaro, of that city, and transmitted by cable to the United States, as being among the most improbable of the many improbable fabrications which that newspaper continually empties upon the French republic. Intimate friends to Minister Eustis in this city, who are in constant communication with him, and who know well his cautious, phlegmatic temperament, assert that the sentiments placed in his mouth are such as he does not entertain. Further, even if he did hold such views, they contend that as United States Minister to France, he would be the last person to give publicity to an interview to such a sensational newspaper.

Mr. Eustis' patriotic American speech at the London banquet, which excited so much comment, was carefully prepared and deliberately delivered, his friends in this city being aware of his intention to make such a speech some days before an abstract of it was flashed over the ocean by cable.

They say it is utterly absurd to imagine a man of his judicial mind and extreme discretion perpetrating such a lot of balderdash as that placed in his mouth by the Paris Figaro. The story carries its own refutation on its face, and no explanation will be asked by the State Department.

SILVER CRAZE IN MISSISSIPPI.

The Primary Meetings Point to McLaurin for Governor.

JACKSON, MISS., July 8.—Several counties held primaries or mass-meetings Saturday to select delegates to the Democratic State Convention, which will meet in this city on August 7th. All of them, so far as heard from, have declared for Senator A. J. McLaurin as the choice for Governor. In some of the counties a vote was also taken to decide the choice for United States Senator to succeed Senator George, but on this the people are badly mixed. Two or three counties endorsed Representative Money for the place, ex-Governor Lowry's friends are claiming one or two, and Representative Hooker's friends are claiming Copiah county.

A special from Crystal Springs says Lowry is in the lead. Copiah is Colonel Hooker's old home, and has always stood by him, so that the other candidates rather conceded it to him. The unanimity with which the several counties have endorsed Senator McLaurin for Governor shows that the silver craze still rages.

The "sound-money" candidates for Governor and United States senator, H. C. McAbee, of Vicksburg, and Governor Stone, of this city, respectively, have not secured a delegate so far, and the handwriting on the wall is to the effect that they will not.

State questions and home affairs have not been thought of or discussed during the canvass, but every candidate, from constable up, has been forced to declare his opinion on the great question of finance.

Jail Delivery at Hendersonville.

ASHEVILLE, N. C., July 8.—Special.—The prisoners confined in the jail at Hendersonville made their escape last night by breaking and picking the locks to their cages, and cutting a hole through the ceiling, then getting out through the ventilator, and letting themselves down with their blankets. The escaped prisoners are Sam. Tucker, up for horse-stealing; Richard Summey, larceny; Earl Waldrop, a United States prisoner; Jim Kidd (colored), for house-breaking.

The sheriff telegraphed here for bloodhounds to follow them with, but as the hounds are now here only on trial, and do not belong to the commissioners, they concluded they could not send them.

Harley Trull, a famous mountain desperado and moonshiner, was captured in Canton, near here, last night. He is wanted by the revenue officials.

OBITUARY.

OFFICER J. S. TALMAN.

Policeman J. S. Talman died suddenly yesterday morning near Charlottesville, Va., where he had gone to spend the summer, with a view of recruiting his health. He was a married man, about fifty years of age, and leaves a wife and five children. He was a member of the First district and had been on the force about fifteen years. He was known as a courteous and efficient officer. About a year ago his health began to fail, and he continued to grow worse, until his sudden demise yesterday. His remains will be brought to this city this morning and taken to his late home, No. 211 north Twenty-seventh street. No funeral arrangements have yet been made.

MISS MADALEN WERST.

Miss Madalen Werst, daughter of Mr. Alex. Werst, the confectioner, died yesterday morning at 9 o'clock, at the residence of her parents, No. 523 east Clay street. Miss Werst had been in bad health for a long while.

MRS. WALTER B. LIVZEY.

NEWPORT NEWS, VA., July 8.—Special.—Mrs. Walter B. Livzey, wife of a prominent young business man of this city, died last night at 8 o'clock, leaving an infant nine days old. Her death was a shock to the entire community. She was a daughter of Mr. and Mrs. George W. Poe, of Washington, and was in the twenty-fifth year of her age. Mr. and Mrs. Livzey were married less than two years ago. The young husband and father are almost crazed with grief.

AGED PEOPLE DIE.

NORFOLK, VA., July 8.—Special.—Mr. Michael Dennis, the oldest citizen of Atlantic City (aged ninety years), and Miss Kate F. Amiss, daughter of the Right Rev. John Amiss, of Georgetown, Md., were buried this afternoon. Miss Amiss was visiting Mrs. Colonel Green, on South street, when she was taken ill, and sank rapidly, dying Sunday.

Mrs. Eliza A. Billsoly, of Portsmouth, died at 9 o'clock to-night, aged ninety-one years, at the residence of her son, Dr. L. A. Billsoly. She was the oldest living resident of the city, and had lived there all her life, with the exception of four years (1828-1832) spent in New Orleans and Matamoras, Mexico. During the late war she was known in the hospitals of the twin cities as "Our Good Angel" and "Mother." She was unanimously elected president of the Ladies' Memorial Association that erected the splendid monument in Portsmouth to the Confederate soldiers and sailors. The people idolized Mrs. Billsoly, and she will be mourned by every man, woman, and child, irrespective of color, in Portsmouth.

SHEMWELL UNDER FIRE.

HE OCCUPIES THE WITNESS BOX FOR NEARLY FIVE HOURS.

Relates in a Clear and Quiet Manner How and Why He Shot Dr. R. A. Payne, Sr. His Version of the Tragedy.

LEXINGTON, N. C., July 8.—Special.—Court opened this morning at 10 o'clock and the great Shemwell trial was resumed. The first witnesses were H. M. Teague and Mrs. M. A. Adderton, who were the last witnesses for the State. Their testimony was not very important, and the State rested its case at 11 o'clock.

Sheriff James Leonard was the first witness for the defence, who contradicted the testimony of Lee, who said Shemwell said after the homicide: "I have accomplished what I determined to do." W. D. Smith was then sworn, but his testimony related principally to the first difficulty between Shemwell and the Paines.

SHEMWELL ON THE STAND.

Shemwell took the stand and related in a calm, deliberate manner the happening of some weeks previous to the fatal shooting. He swore he had not made any threats against either Dr. Payne or his son. He had a difficulty with young Dr. Payne at the barber-shop Saturday night previous to the Monday when the tragedy occurred. He said Dr. Payne, Sr., accosted him Monday morning as he was going to his business and said: "I understand you drew a pistol on my son Saturday night." He began to abuse me, and finally brandished a pistol in my face. Dr. Payne, Jr., came running out, and we all three began firing, I retreating across the street after exhausting my pistol. Payne, Jr., shouted: "Run, you cowardly cur." We all went to the magistrate's office and were bound over to court.

SHOT THE FATHER.

I started home, not knowing the Paynes were in front of me, and when I saw them I quickened my steps, so as to pass them before they reached their office, where they might attack me. Just as I was passing Pratt's, who was walking with them, said: "Doctor, Shemwell is on you." Payne, Jr., drew his pistol and I drew mine. Old Dr. Payne pushed me into the ditch. Payne, Jr., was trying to shoot me, and I fired at him, but missed him and shot his father.

Shemwell was put through a searching cross-examination, lasting several hours, but did not become the least tangled or confused. He was in the witness box nearly five hours.

A MURDER SUSPECTED.

Chemical Expert at Work—Druggists Incensed—North State News.

RALEIGH, N. C., July 8.—Special.—The druggists of the State meet in annual session at Morehead City Wednesday, and they will have a lively meeting. They are greatly incensed at the 1 per cent. tax which the fusion Legislature levied on them, and also at the $10 liquor tax on those who sell spirituous liquors. They may take the matter to the courts.

Professor W. A. Withers, of this city, is analyzing the contents of the stomach of Mrs. Kistler, of Rowan, it being suspected that she was poisoned with strychnine.

The criminal term of Superior Court began here to-day, Judge Coble on the bench. There are eighty cases, of which the most important is brought by citizens who wish the pond which supplies water for the water-works people to be condemned. The legal fight will be a hot one.

Work is to begin at once in installing the $2,000 electric-light plant at the University. It is to furnish 400 lights for the buildings and grounds.

Students at St. Augustine's colored Normal School, here, are quarrying granite of which they will build a chapel for that institution.

Governor Carr leaves to-morrow for the western part of the State on a visit.

The July crop reports are coming in quite rapidly to the Agricultural Department, and are more favorable than those for June, the commissioner states. These reports are very complete, as there are over 1,000 correspondents.

The railway commissioners having completed the 1895 assessment of all steamboat, railway, and telegraph property, will devote three days to hearing any exceptions to their ruling.

Some leading Populists declare their party will not fuse with the Democrats.

The annual meeting of Raleigh's Chamber of Commerce will be held this week. The reports will show a good advance here along various lines—many new buildings, two large and costly college buildings, a $10,000 cotton mill addition, and over 12,000 new spindles. The new car-wheel works are doing well. All the mills and banks are paying good dividends.

DYNAMITE HIS MODE OF REVENGE.

A Rejected Suitor Said to Have Sent a Widow an Infernal Machine.

CENTRALIA, WASH., July 8.—Mrs. Mattie Chambers, a widow, has received an infernal machine, containing dynamite through the mails. It is claimed it was sent to her by Rev. H. P. Fuller, a rejected suitor. Fuller is now in Raleigh, N. C. The curiosity of the postmaster saved the woman's life. He saw sawdust protruding from the end of the box, and pried the lid off without lighting the match. The police authorities are investigating.

FULLER COULD NOT BE FOUND.

RALEIGH, N. C., July 8.—Special.—Your correspondent has made earnest, but unavailing, efforts to locate Rev. H. P. Fuller, who, it is alleged, sent Mrs. Chambers, of Centralia, Washington, an infernal machine. One of the scores of persons of whom inquiries were made said that two weeks ago a newspaper came here directed to Fuller, and that he was a negro. Another man said Fuller lived in the eastern part of the city, and aided in making search there for him. He also said Fuller was a negro of medium age, who had lived here only six months.

Oxford's New Minister.

OXFORD, N. C., July 8.—Special.—Rev. Mr. Plummer, who has recently accepted a call to St. Stephen's Episcopal church, of Oxford, assumed charge of the pastorship on yesterday when he held his first services and administered the Holy Communion, having been ordained in Petersburg in June. The impression made upon his flock and congregation was most favorable in every respect. Laying aside all dogmas and religious differences he preached "Christ, and Him Crucified" in a clear and impressive style, clothing his ideas in chaste and beautiful language and delivering his sermon without notes and in a deliberate and earnest manner, but seldom witnessed in so young a minister. Our community is to be congratulated upon securing the services of such a sincere Christian and earnest worker in our midst.

A SHORT STORY SOON TOLD.

OUR $18, $15, $12 and $10 SUITS

embracing hundreds of Light-Colored Cassimeres and Cheviots, Black and Blue Cheviots, all sizes and from our regular stock, are being offered this week at

$7.50.

They are going very fast before the multitude who are taking advantage of this great SACRIFICE SALE to buy Clothing. Let us see you in early so you may get just the suit you want. These suits sold for cash only.

O. H. BERRY & CO.,

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