

# The Wheeling Intelligencer.

VOLUME XLVIII—NUMBER 151.

WHEELING, W. VA., THURSDAY, FEBRUARY 15, 1900.

PRICE TWO CENTS. (ON TRAINS FIVE CENTS.)

## "DEWEY DAY," WHEELING, THURSDAY, FEB. 22.

### MACRUM'S SILENCE IS BROKEN.

Gives Out a Signed Statement Detailing Reasons for Asking Release.

### DISPATCHES WERE CENSORED.

He Sympathized With the Boers, and His Vice Consul Enlisted in Boer Army.

WASHINGTON, Feb. 14.—The following signed statement was given out tonight by Charles E. Macrum, former United States consul to Pretoria:

"The situation in Pretoria was such that, first, as an official, I could not remain there while my government at home was apparently in the dark as to the exact conditions in South Africa. Secondly, as a man and citizen of the United States, I could not remain in Pretoria, sacrificing my own self-respect and that of the people of Pretoria, while the government at home continued to leave me in the position of a British consul and not an American consul. I want to say right here that there was not one single request made of me through the department of state looking to the care of British interests in Pretoria which I did not fulfill and report upon according to my orders. On the other hand, American interests in South Africa were in that condition which demanded that the department of state should be cognizant of them.

"I issued the statement received from the state department that Americans must remain neutral. In the face of this Americans were continually going to the front and taking up arms in the cause of the Boers. I could not help but know that many of these were citizens of the United States. I also knew that many of them, in utter despair at the apparent attitude of our own government, were taking the oath of allegiance to the Transvaal republic. When affairs had reached that state that my consul, Mr. Van Ameringen, closed up his own business, took the oath of allegiance to the republic, and went to the front as a burgher, I thought the time had come when I should make a report of these conditions.

### Complaints of Censorship.

"It was over four weeks from the time the war opened before I received a single mail dispatch from my government or a personal letter. The mail for the Transvaal had all been stopped at Cape Town by order of the high commissioner. When this mail was finally forwarded to me after Colonel Stowe, the consul general at Cape Town had secured its release, I had the humiliation, as the representative of the American government, of sitting in my office in Pretoria and looking upon envelopes bearing the official seal of the American government and officially sealed with a sticker, notifying me that the contents had been read by the censor at Durban. I looked up the international law, but failed to find anywhere that one military power can use its own discretion as to forwarding the official dispatches of a neutral government to its representative in a besieged country.

"The mail service from Delagoa Bay to Europe was continually interrupted by the action of British men of war at that port. Service was over two weeks longer than by the west coast, and there were continual rumors that that port would be closed and communication with the outside world entirely cut off. I was privately informed by the Belgian and German consuls at Pretoria that their official cables in code to their governments had been refused by the censor. I filed one cable in the interest of an American in Pretoria which was refused absolutely by the censor in Durban. This cable I sent to the fiancée of a Mr. Nelson, an American business man in Pretoria. She was on her way to South Africa from Buffalo, N. Y., when the war broke out. According to a letter which Mr. Nelson received just before the war commenced, she was buying her trousseau in Europe. The cable requested her to come by the east coast. When I informed Mr. Nelson that the cable had not been sent, his brother took the oath of allegiance to the republic and went to the front. But these are simply minor details.

### Vice Consul Enlisted in Boer Army.

The misrepresentations which have been going on before the war and after it opened were of such a serious nature and would require such detailed explanation, that on the 8th of November, I filed a cable to the department in code, stating that I wished leave of absence in order to visit the states. I set forth in this cable that my vice consul had enlisted in the Boer army, that a Mr. Atterbury, an American whom I had known very favorably for more than a year, could take charge of the office until my return. In reply to this dispatch, which was forwarded without any delay, I received from the department a reply, advising me that my presence at Pretoria was important to public interests. On the 8th I telegraphed again acknowledging the receipt of the cable and advising the department that the situation was not critical; that Mr. Atterbury was competent; that my presence in America was important. No reply was received, and I wired again on the 11th, stating that no reply had been received, and again urged a favor-

able reply. No reply was received to this. On the 14th of November I again wired the department, stating that I could not leave without permission; that I would forfeit my post if the reasons which I would make to the department did not prove satisfactory. This cable was delayed by the censor until the 2d of December, when I had advised that it had just been forwarded. On the 18th of November I again filed a cable, stating that three of my cables had been unanswered, and stating that a substitute would answer as consul during my absence, and requested a reply. To this I received a reply immediately, which was a reiteration of the reply of my first cable. Upon receipt of this reply which was on the 26th of November, I immediately wrote to the department, accepting the refusal to grant my leave, and stating in that letter that I would abide by the decision of the department and attempt to convey an intelligent idea for the department's guidance on conditions there in mail dispatches. On the 4th of December I received a reply from the department to my cablegram of the 14th, which I had been informed two days previously had just been forwarded. It read as follows:

### His Home-Comeing.

"You may come home. Put Atterbury temporarily in charge. Department will send man from here."

"This was signed 'Hay.' Thereupon I cabled the department as follows:

"'Sail 18th by Naples.'"

"This cablegram was sent on the 8th and in the meantime I prepared to go. A few days later I received a telegram from Mr. Hollis, consul at Delagoa Bay, stating that he had been instructed to come to Pretoria to take charge of my office during my absence, and until a man should arrive from Washington. Mr. Hollis arrived on the 14th of December and was thoroughly posted in the routine of the office and I introduced him to the heads of all the government departments and to my consular colleagues. I left Pretoria the night of December 18. I went straight to Paris, notified the department of my presence there while waiting for the American line boat to sail for New York. I arrived in Washington on Monday, the 5th of February, and reported to Assistant Secretary Hill, of the state department, who officially informed me that Secretary Hay's son had been appointed in my place and that he was on his way to Pretoria.

"I appreciated the seriousness of the conditions in South Africa to the extent that on my way to Washington, believing that I was still the consul to Pretoria, I refused to make any statement that would in any way involve the department or embarrass it. My one object was to lay the information before the department as to the true state of affairs in South Africa. If the department thought these facts were of a value sufficient to warrant the expense of the trip I had taken I expected to be remunerated and return to Pretoria, leaving the department to act as it saw fit upon the facts which I laid before it.

### Kick Against Secretary Hay.

"Instead of this, I find that Secretary Hay, whether acting upon the reports in the newspapers or upon advice from the British government, or some other motive, I do not know, saw fit not to wait until I could present my reasons in person, and had a silent or conniving partner to discredit reports of my official acts. I come home to find an attempt has been made to tear down my personal reputation. I wish to state right here that when I accepted my post as consul I knew nothing of any secret alliance between America and Great Britain and that I had seen nothing in the regulations which made the consul of the American republic subject to the whims and caprice of an English military censor at Durban. I came to America with a motive, of which I am not ashamed.

"There is not one soul who can point to a single official act of mine which departed from the strictest neutrality. My confidential dispatches to the department contained information which will show my sympathy for the republic, but which time will prove to be unbiased as to actual facts.

"My acts as a public official are all recorded at the department. My acts now as a private man can in no way involve the public service and I simply make this statement in my own defense against those which have come from the department, secretly and officially."

(Signed) "CHARLES E. MACRUM."

### SEWER PIPE COMBINE

Organized, Embracing Thirty Plants, Some in Ohio Valley.

Special Dispatch to the Intelligencer.

STUBENVILLE, O., Feb. 14.—The sewer pipe manufacturers have returned from New York, where they met Promoter Charles R. Flint, and they report the combine organized and embracing thirty plants. All the Ohio valley plants have gone into the combine. Flint is to visit this section in a few days, to complete the deal.

### STATE SUPREME COURT

Transacted Little Business, and Took Recess Until March 14.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 14.—The supreme court to-day took recess until March 14. The following business was transacted: Lawson vs. Zinn, from Ritchie county; re-hearing allowed. Cecil & Hall vs. Clark, et al, trustees; motion to modify the opinion refused.

### Death of a Centenarian.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 14.—Cary Toney died to-day on Alum creek, near here, aged 100 years.

### GEN. FRENCH'S VERY BRILLIANT PERFORMANCE.

Forced a Passage a. Clip Drift, Occupied Hills and Captured Three Laagers.

### ATTACK ON SLINGERSFONTEIN.

Boers Surround British in Overwhelming Numbers, and Compel Retirement.

LONDON, Feb. 15.—4:30 a. m.—The British army, for the first time since the war began, is inside the Boer frontier. Lord Roberts, with at least 40,000 infantry, 7,000 cavalry and 150 guns, has turned the Magersfontein lines, before which the British forces have been encamped for ten weeks, and with half of his corps he is already operating on Free State territory.

A battle has not yet been fought, but large tactical advantages have been gained. The relief of Kimberley is within measurable reach, and the way to Bloemfontein is appreciably easier.

The attack of Lord Roberts stretches three days' work. The forward movement began on Sunday, when Colonel Hannay set out with a brigade of mounted infantry for Ramah, on the Riet, eight miles from Jacobsdal, one of the Boer supply houses.

LONDON, Feb. 14.—Advices from Gaborone, dated February 4, say:

"The artillery duel between Colonel Plumer's force and five hundred Boers continued until to-day, when the British dropped two shells into the Boer fort. The Boer guns have since been silent."

"Colonel Plumer's advance has been checked by floods."

### Total British Loss, 10,505.

LONDON, Feb. 14.—The total British casualty returns up to to-night, are: Officers killed, 153; wounded, 380; missing, 112. Men killed, 1,477; wounded, 5,690; missing, 2,781. Other fatalities reported, 562. Grand total, 10,505.

### French's Brilliant Move.

LONDON, Feb. 14, 11:35 p. m.—The war office has issued the following message from Lord Roberts, received this evening:

"Dekiel's Drift, February 14, 8:10 a. m.—General French left this point at 11:30 yesterday morning, with three brigades of cavalry, horse artillery and mounted infantry, including several colonial contingents, in order to seize a crossing of the Modder, distant about twenty-five miles. He reports, by dispatch, dated 5:35 p. m., that he has forced a passage a. Clip Drift, and occupied the hills north of the river, capturing three of the enemy's laagers, with their supplies, while General Gordon, of the Fifteenth Hussars, with his brigade who had made a feint at Rondevaal drift, four miles west, has seized it and a second drift between that and Clip drift, together with two more laagers.

"General French's performance is brilliant, considering the excessive heat and a blinding dust storm which raged during the latter part of the day.

"Owing to the rapidity of his movements, General French met with but slight opposition and his losses were small. Lieutenant Johnson, of the Inniskilling Dragoons, is the only officer reported severely wounded.

"The sixth division was last night on the north bank of the Riet at Waterval drift, and is moving to support the cavalry. The seventh division is here and will go on this afternoon.

"Four officers and fifty-three men had to be sent last evening, in the returning ox wagons to the railway line, prostrated by heat and exhaustion."

### SHELLED ALL DAY.

British Surrounded and Compelled to Retire.

RENBERG, Tuesday, Feb. 13.—Before dawn yesterday the enemy opened an attack upon Slingersfontein, assaulting with musketry the hills on the northeast held with three companies of the Worcesters, under Captain Hovel. The artillery attack began at sunrise. The Boers appeared in great numbers, estimated at 7 to 1. The British under good cover, sustained the attack throughout the day.

Meanwhile two big guns on the west opened upon the British at daylight and fired for half an hour, when a British howitzer silenced them with lyddite, the British artillery firing with precision.

Then another Boer gun to the north, opened on the Royal Irish Rifles, but rather ineffectually, as the rifles had good cover.

The shelling continued all day and last evening the Boers brought up a forty pounder in order to bombard the camp from a hill to the north. The attempt was plainly visible, as the gun could be seen being drawn up by eight teams of oxen.

With the Boers surrounding the British in overwhelming numbers and artillery, it then became evident it would be impossible to retain Slingersfontein, which the British evacuated under cover of the darkness, falling back upon Renberg. The British casualties were lighter than might have been expected under the circumstances.

### FINAL DEBATE

In the Senate on the Financial Measure—Final Vote on the Bill Will be Taken To-day.

WASHINGTON, D. C., Feb. 14.—Throughout its session to-day the senate had the financial bill under discussion. After 2 o'clock the debate proceeded under the ten-minute rule, and at times became spirited and interesting. Late in the afternoon a test vote, indicating approximately the majority on the passage of the bill, was taken. Mr. Chandler, (Rep., N. H.), offered an amendment to authorize the President to appoint commissioners to any international bi-metallic conference that might be called, and it was defeated by a vote of 45 to 25. The Chandler proposition out of the way, the discussion proceeded on the amendment brought in by the finance committee, providing that the provisions of the bill are not intended to place any obstacles in the way of international bimetallicism. The Democratic senators arraigned the Republicans for reporting the amendment, declaring they were insincere, and that the proposition was intended to hoodwink the people and to catch votes.

No vote on the amendment was reached. The final vote on the amendments and the bill will be taken some time to-morrow.

### Legislative Appropriation Bill.

It was the intention of the Republican leaders of the house to call up the Puerto Rican tariff bill, there was such a demand for time to discuss various questions during the general debate upon the legislative, executive and judicial appropriation bill, which was called up to-day, that Mr. Payne gave notice that he would allow the Puerto Rican bill to go over until Monday. The debate upon the legislative bill to-day, strayed far from the bill touching the question of government deposits in national banks, reckless expenditures for pensions, and finally drifting into the question of election methods in Missouri.

Mr. Barthold, (Mo.), raised the latter question by attacking the Nease bill and provoked a long reply from Mr. Benton, (Mo.), who in turn aroused Mr. Pearce, (Mo.) Some very caustic things were said on both sides.

### FRICK VERSUS CARNEGIE.

Papers Served Yesterday—Attorneys Have Little to Say—One Expressed Belief That the Case Would Not Go Beyond the State Supreme Court.

PITTSBURGH, Pa., Feb. 14.—Late this afternoon the papers in the suit were served on the attorneys of the Carnegie company, Dalsell, Scott and Gordon. The defendants have fifteen days in which to file a demurrer or an answer to the bill, and it is expected a demurrer will be filed within a few days and if an answer is necessary, it will be filed later.

The attorneys for the company are unanimous in their refusal to discuss the bill and say that nothing will be given out for publication until after their papers are filed.

During the afternoon the attorneys had a conference with President C. M. Schwab over the telephone, but what action was taken could not be learned.

From one of the attorneys interested, the statement was had, that the action of Mr. Frick precludes the possibility of the case reaching a higher body than the supreme court of Pennsylvania. There jurisdiction ends, so far as known at present, and that body will probably decide the controversy finally. It was intimated to-day by one on the inside that the basis of defense will be that the iron-clad agreement is a legal and binding document; that the book valuations of the holdings of the different stockholders is correct; that while the gross earnings of the company are greater, the book valuations are exactly what the properties would bring with the mortgages cleared off and other obligations settled.

### DEATH OF C. R. STEWART,

Shot by His Son in a Family Quarrel Over a Vulgar Valentine—Husband and Wife Reconciled—Requested the Judge to be Easy With His Boy.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 14.—C. R. Stewart, who was shot here last night by his son, Louis, died this morning. Before his death an attending physician effected a reconciliation between the dying man and his wife, with whom he had lived unhappily. Stewart then said to Judge Hall, of the Kanawha criminal court, who was present at his bedside as a brother lodge member: "Judge, you will probably have to try my boy for this. Be as easy on him as you can, and may God forgive him."

He did not exonerate the boy. A coroner's jury this afternoon held young Stewart on a charge of homicide.

### SENATOR THURSTON

Will Address the League of Republican Clubs.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 14.—Vice President William B. Matthews, of the State League of Republican Clubs, to-night received a telegram from Congressman Dovaner, sent from Washington, stating that Senator John M. Thurston, of Nebraska, had accepted an invitation to address the league at its meeting at Parkersburg, March 8. The telegram was as follows: "I have sent Thursday, as per your request, and he accepts and will be with us at our meeting at Parkersburg, March 8."

### JUDGE TAFT REFUSED THE APPLICATION

For Injunction in Kentucky Contest Cases, Reviewed the Goebel Law, Declaring it the

### MOST INFAMOUS STATUTE

That Had Ever Come Before a Court, and Demanded Conditions Existing in Kentucky.

CINCINNATI, O., Feb. 14.—Holding that the federal court had no jurisdiction in the contests in Kentucky, Judge Taft this afternoon refused to grant the application for injunctions against the Kentucky state board of elections and the Democratic contestants for state offices, other than governor and lieutenant governor.

Judge Taft finished reading his opinion at 2:50 p. m., in which he denied the applications for injunctions in both cases in the Kentucky suits. After citing the law showing that the federal court had no jurisdiction in such cases, he reviewed the Goebel election law as the most infamous statute that had ever come before the attention of a court, and also denounced in very vigorous terms the conditions that have existed in Kentucky and that are cited in the bill of facts. But he held that it was merely a matter of law with the court, notwithstanding the outrages that are alleged in the undisputed statement of the facts of the petitioners. There was an immense crowd in the federal building awaiting the decision of the court.

### Substance of the Decision.

The following is the decision of Judge Taft, in part:

"The injunctive process of the court is sought to prevent a removal from office. It is unnecessary to discuss the question whether a federal is presented upon the face of this bill, or to consider the correctness of the claim of complainant that the rights and immunities secured to him as a citizen of the United States by the fourteenth amendment to the federal constitution are infringed or are likely to be infringed by the acts of the defendants done or to be done. It is sufficient to hold, as I do, that a court of equity cannot by process of injunction prevent the removal of an officer from his office. His remedy must be at law by quo warranto or other like proceedings. It is conceded that the laws of Kentucky afford to the complainant a remedy by quo warranto, also a remedy at law to prevent usurpation in office. If in such proceeding any federal question can be raised, complainant may carry it. It decided against him by the state courts, by writ of error, to the supreme court of the United States. He cannot invoke the action of a court of equity to protect his right to his office."

Referring to the claim that the Kentucky courts practically denied a hearing, he said:

"It is said that there is inadequate remedy here because the courts of Kentucky, in which this action would have to be brought, are two years behind in the disposition of their business, and a decision would be long delayed. It is hardly a sufficient ground for appeal to a federal court of equity that state courts of law are too busy to do justice."

### May be Taken to U. S. Supreme Court.

While the court held that no injunctions would issue under these bills, yet it also held that after the cases had been heard in the state courts they could get in on error for review in the United States supreme court. After the decision was announced, former Governor Bradley and his associate counsel announced that they were unable to state what would be the next step of the Republican state officers of Kentucky. Counsel for the plaintiffs held a long consultation after the announcement of the decision. Governor Bradley and his associate counsel, after their consultation, said they had no doubt either of the ultimate possibility of a hearing of these cases in the United States supreme court, as indicated by Judge Taft, or of the final result, but at present counsel could not say what would be the next procedure.

### GOV. TAYLOR'S STATEMENT.

Holds That Judge Taft's Decision Does Not Affect Him.

FRANKFORT, Ky., Feb. 14.—When informed that Judge Taft had refused jurisdiction, Governor Taylor gave to the Associated Press the following signed statement:

"The decision of Judge Taft to-day, holding that his court has no jurisdiction in the case of the minor state officers, does not affect the merits of the case. He does not determine that the petitioners had no merits in their cases, but only that his court could not take jurisdiction and right the wrong. If he had held that he had jurisdiction, it would have all been over, for the outrages were so glaring that the Republicans would have won hands down. The decision in said cases does not in the least affect my case.

(Signed.) "WM. S. TAYLOR,

"Governor of Kentucky."

After giving out the statement, Governor Taylor said: "I never really believed that the matter could be made to stick in the court before Judge Taft, but we felt obliged to try it. This is a case where all the

legal remedies must be tried and exhausted, if necessary. We will try everything that the courts afford us."

### Beckham's Suit.

The suit of Beckham against Taylor for possession of the office of governor, was filed to-day, in the circuit court at Frankfort.

Up to a late hour the sheriff had not succeeded in serving notice on Governor Taylor, and the chances of his doing so did not seem bright, as all visitors to the office of the governor or to the gubernatorial mansion were compelled to run a gauntlet of guards who were on the lookout for gentlemen with suspicious papers. The petition in the suit holds that W. S. Taylor is not the governor of the state, and that, with an armed force he holds possession of the executive building. It alleges that he is drawing money without authority of law, from the state treasury, pardoning convicts and doing other things that are detrimental to the welfare of the state. The petition asks that the court enjoin him from performing any duties as chief executive and from assuming any control whatever over the legislature. Application for the injunction will be made on Friday, before Judge Cantrell, at Georgetown.

### Democrats Decline to Return.

The committee of the Democratic members of the legislature which came from Louisville for the purpose of investigating conditions here and determining whether it is safe for the Democrats to venture within the precincts of Frankfort, returned to Louisville to-night. The members of the committee declined to hold any conversation with Adjutant General Collier or Governor Taylor, and made Custodian Thompson, of the executive building, the go-between. They first sent word to Governor Taylor that before the Democratic members could think of returning to Frankfort the soldiers must be sent away. No objection, they said, would be raised to a small number for a body guard for Governor Taylor personally. As for the legislature, it needed no protection.

Governor Taylor replied, through the medium of Custodian Thompson, that the request of the committee could not be complied with, but promised that the legislature should not be molested in any way. For the committee, Custodian Thompson then asked Governor Taylor if the same conditions would exist next Monday around the state house as existed to-day.

Mr. Thompson was sent back with the reply that no assurance could be given, but that there would be no show of force and that all the soldiers would be withdrawn from the gates and would be kept in the background as much as possible.

### INJUNCTION SUITS FILED

By Gov. Taylor Against Beckham and Castleman.

LOUISVILLE, Ky., Feb. 14.—Governor Taylor took the initiative this afternoon and has had prepared an application for an injunction against J. C. W. Beckham and John B. Castleman. He seeks to enjoin the first named defendant from attempting to exercise the duties of governor of Kentucky and the second defendant from acting as adjutant general. Taylor sues as an individual and also as governor of Kentucky. Taylor's attorneys are Helm & Bruce, Breckinridge and Shelby, W. H. Yost, W. O. Bradley and A. E. Wilson. The attorneys have not yet applied to any of the circuit judges for a temporary restraining order.

### SENATORIAL CAUCUS.

Several Senators Expressed Their Purpose to Call Up Measures When the Finance Bill Has Been Disposed Of—Readjustment of Senate Patronage.

WASHINGTON, Feb. 14.—The Republican caucus of the senate to-day authorized its chairman, Senator Allison, to appoint a committee to arrange the order of business for the remainder of the session, but the selection was not announced. Senator Cullum gave notice to the caucus that he would call up his bill providing a form of government for the Hawaiian Islands as soon as the vote should be taken on the currency bill to-morrow, and no disposition was manifested to antagonize him in this purpose.

There was more or less discussion of the policy to be pursued with reference to a number of measures. Most of the senators expressed themselves as favorable to early final adjournment. Senator Foraker expressed a strong desire to secure consideration of the Puerto Rico bill, and Senator Chandler urged the necessity for action on the bill amendatory of the interstate commerce law.

### WEST VIRGINIA'S MINERS

Will Seek Recognition of the United Mine Workers.

CHARLESTON, W. Va., Feb. 14.—At the meeting of the executive board of the United Mine Workers for the district of West Virginia, held here to-day, it was decided to issue a call in the near future for a joint conference of miners and operators in this state with the view of obtaining recognition of the United Mine Workers' organization by the West Virginia operators.

### Weather Forecast for To-day.

For Ohio—Snow in northern; rain or snow in southern portion; Thursday clearing; much colder Thursday night; brisk east to northeast winds; Friday fair and continued cold.

For West Virginia and Western Pennsylvania—Rain or snow Thursday; clearing and colder Thursday night; Friday fair and colder; fresh to brisk east to northeast winds.

### Local Temperature.

The temperature yesterday, as observed by C. Schnepf, druggist, corner of Market and Fourteenth streets, was as follows: