

THE DECISION REACHED

BY THE COURT AS TO CAUSE OF DISASTER TO THE MAINE.

The Vessel Not to Be Raised—Spain to be Told to do So if She Wants It Out of the Way—The Court to go to Key West—Officials Looking up Precedents as to Spain's Liability—Preparations for Mobilizing Troops—Senator Proctor Sails for Havana

Washington, February 25.—In spite of the stories that came from unofficial sources in Havana as to sensational developments in connection with the work of the divers in the Maine's hull, the administration remains firm in its statement that there is no credible evidence one way or the other as to the cause of the disaster, and holds to its purpose to await the conclusion of the investigation now making by the court of inquiry. This position was emphasized at today's cabinet meeting.

People who looked for some startling announcement were disappointed as the members, without reservation, frankly admitted that the subject of the loss of the Maine had been discussed, but said that the government had received no information from Havana since yesterday and had no intention of changing its policy until there was something of substance to warrant it. The Spanish legation was equally in the dark as to any of the discoveries reported from sources that are not cited. Secretary Long has been under a heavy and almost constant strain ever since he was awakened in the middle of the night a week ago last Tuesday by the news of the loss of the Maine, and now that matters are, at least, for the time being, in a quiet state he has gone away for a few days rest, leaving Assistant Secretary Roosevelt to manage the department. The latter has been thoroughly advised at every step of the secretary's policy of treatment of the Maine affair so that there is not likely to be any change in that respect caused by the temporary assumption of the duties of secretary by Mr. Roosevelt. Just before the department closed he had word of the sailing of the cruiser Montgomery from Tampa for Key West. Up to that time the vessel had been given no orders so that the date of her departure for Havana, if she is to go at all, is conjectural. The ship went to Tampa instead of Key West on her return from San Domingo in order to facilitate the speedy return to his duties in Washington of Captain Crowninshield, the chief of the navigation bureau, who saved a full day by the movement.

The Castine, the second of the United States warships, on the South Atlantic station, arrived today from Barbados, has joined the Cincinnati. It may be that the Castine will go to Manila or be docked as she is in need of cleaning after her tropical service.

SEARCHING FOR PRECEDENTS AS TO DEMANDING INDEMNITY.

Since so much depends upon the report of the court of inquiry, it may be interesting to note that so far, Secretary Long himself does not know when to this time having heard nothing from any of the members on this point. He rather expected that the court, which has complete power to work on its own lines, would wind up its work at Havana before leaving, so as to leave the necessity for a return trip. One member of the cabinet had a more definite opinion on the subject, expecting the receipt of the report about the middle of next week. There is reason to believe that, meantime, and to prepare for the receipt of a report that would show the disaster to be other than the result of an accident, some of the officials of the administration have been looking up the subject of indemnities, so as to lay the foundation of a case, in the event it should be decided to resort to that method of settlement.

There are a large number of precedents which will aid the authorities in shaping their action in this direction when the facts are fully established. While none of the cases show the fearful loss of life sustained by the Maine explosion, yet they include many instances in which the United States has adopted energetic measures to redress the killing of American citizens in foreign countries. In a general way, these methods of redress have included demands for indemnity, proclamations excluding warships of the offending nation from our harbors, display of force, non-intercourse, withdrawal of our minister, reprisals, and blockades. Some of these steps BORDER VERY CLOSELY ON WAR, although they are regarded as the movements just preliminary to actual hostilities and as meaning that force will follow if reparation is not made.

CASES IN POINT.

The case of the Water Witch is considered to be the most analogous to that of the Maine, should it be established that the disaster was not the result of an accident. The Water Witch was a United States ship engaged in 1855 in surveying the entrance to one of the rivers of Paraguay. Without warning and by orders of President Lopez, of Paraguay, the force of troops opened fire on the Water Witch, killing the man at the helm and wounding others. Intense feeling was aroused in the United States when the news became known. The president reported the facts to congress, and in his message asked authority to make a demonstration of force which would demand suitable redress. In response to this, congress authorized him to "use such force as is necessary" to secure ample reparation. Accordingly an armed fleet was hastily assembled on a scale which was regarded as remarkable for those days. The expedition included thirteen armed ships, twenty-five heavy guns and 2,500 sailors and marines. Accompanying this formidable outfit were civilian plenipotentiaries prepared to make the demands of this government, and then force them by calling on the armistice. The expedition made a formidable showing in South American waters, and President Lopez's government was awed into complete submission by its presence. The American commissioners and naval officers were received at Asuncion with much honor, and every reparation within the power of the republic was given. This included an abject apology, a sweeping disavowal, and \$10,000 for the sufferers from the outrage. As the republic was willing to grant full reparation, the naval expedition did not exist. It was prepared in case a refusal had been offered. When the facts of the expedition were reported to the American congress, the president stated that the dispatches of this formidable naval fleet had had a salutary influence throughout the world and had convinced foreign nations that the United States would protect the lives of its citizens with all the force at its command.

Displays of the force were resorted to by the United States in 1852 against Japan, and in 1858 against Java. In the case of Japan American sailors had been severely handled in Japanese ports, and the native courts failed to give adequate redress. A naval expedition was sent to Japanese waters, and this had the effect of securing the apology and also an agreement by which every protection was guaranteed to American citizens and property in Japan. In the case of Java the secretary sent a large naval force to the waters of Java to demand that the native trial courts should give the fullest protection to Americans. The expedition was successful in its purpose, and all the assurances desired were given.

The principal of money indemnity for the killing of foreigners has been recognized in several recent cases in the United States. One of these was the killing of Italians at New Orleans by a mob. In that case, while the United States denied the responsibility of the federal government for the act of a mob, yet indemnity was paid out of the federal treasury as a matter of international comity and equity. Similar action was taken in indemnifying China for her subjects killed at Rock Springs.

President Buchanan adopted the procedure of reprisal in 1859. This is a measure just short of war. Mexico was charged at that time with assenting to spoliation along the United States border. President Buchanan asked congress for authority to send a military force to secure indemnity as diplomatic negotiations had failed to bring redress from Mexico. This course was adopted by congress and the preparations for the military reprisals soon brought about a satisfactory adjustment.

DENIAL OF EXISTENCE OF SUBMARINE MINES.

In view of the widely published reports that the harbor of Havana contains a system of submarine mines, a statement around which was centered the chief public interest in connection with the disaster to the battleship Maine, Senator du Bose, Spanish charge d'affaires at Washington, tonight made to the Associated Press the following statement which, coming from such authority, may be considered as an official denial:

"I wish to state on my own official knowledge that no mine exists inside or outside of Havana harbor, nor is there any submarine defense of any kind. The report is so absolutely false and ridiculous that it could only have originated in the minds of those persons anxious to incite the civil passions of both nations for their own miserable ends. I consider the very suggestion of such a thing an insult to Spain."

THE TERROR WAITING ORDERS.

Norfolk, Va., February 25.—The monitor Terror remains at anchor in Hampton Roads. The men are being held aboard her and she is constantly under guard, expecting orders to leave every minute. It is said that the Terror has been shipped to Fort Washington from the Port Monroe arsenal.

New York, February 25.—The Mail and Express this evening prints the following, dated Havana today:

"The United States naval board of inquiry continued today taking the testimony of the divers who have been working in the wreck of the Maine. Those who were sent here from the battleship Iowa, and the cruiser New York were examined. While, of course, the members of the court will not talk for publication, I am informed, on the highest authority, that the evidence of Diver Morgan as to the condition of the Maine shows almost beyond the possibility of a doubt, in the opinion of my informant, that the Maine was blown up by an outside agency. Furthermore, Morgan's report was verified by the other American divers who descended today. All the testimony of the civilian witnesses of the disaster was taken yesterday."

A DECISION REACHED.

The court will finish its work here tomorrow and proceed at once to Key West to take the testimony of the survivors there. It has also been decided not to return to Havana, all the information as to the cause of the disaster obtainable here having been secured. It is believed that a decision has been practically reached. The witnesses yet to be examined will hardly change the verdict.

THE COURT HAS DECIDED AGAINST ANY ATTEMPT TO RAISE THE RUINED BATTLESHIP. THE MEMBERS ARE CONVINCED THAT IT WOULD BE USELESS. AS THE WRECK COULD NEVER BE KEPT Afloat, AND THE SPANISH AUTHORITIES HERE WILL BE INFORMED THAT IF THEY WISH THE WRECK REMOVED FROM THE HARBOR THEY MUST ATTEND TO THE WORK THEMSELVES.

This decision gives a better idea of the terrible havoc wrought in the line than columns of description could do. The Merritt Wrecking Company, it was announced today, wanted \$2,000,000 to raise the wreck. The company's representatives made this demand after viewing the condition of the ship. The wreckers today turned their attention to salvaging the great guns. These, at least, can be recovered in sufficiently good condition to warrant the effort.

BODIES RECOVERED.

Twenty unknown bodies of the crew were recovered from the wreck by the divers at noon today. The bodies were frightfully burned and mangled and it may be impossible to identify some of them.

Holzer, who made such a brave fight, died in the hospital today. All the wounded will leave here Sunday on the Bache for Key West. The physicians consider it safe to move them now.

DEPARTURE OF THE VIZCAYA.

New York, February 25.—The Spanish cruiser Vizcaya got under way

from her anchorage off Tompkinsville at 1:25 o'clock p. m. today and proceeded on her way, passing quarantine at 1:37 o'clock p. m., bound for Havana. The navy-yard tug Nina, on guard off Tompkinsville, was saluted by the cruiser with three blasts of the whistle, which the tug returned. The Nina and the police boat Patrol accompanied the cruiser down the bay.

The national standard of Spain floated at half-mast from a small staff on the main mast of the cruiser. The Vizcaya did not salute the forts at the narrows as she passed out. It is said at the office of the Spanish consul general that the Vizcaya will proceed to Havana without stopping en route.

THE WAR CRY POPULAR IN SPAIN.

London, February 25.—According to a special dispatch from Madrid, reports received there from the United States to the effect that public opinion in the latter country is becoming more excited owing to the impression that the loss of the Maine is not due to an accident, are "restricting popular feeling here (in Madrid) and the opinion is increasing in ministerial circles that the Spanish war will be expected."

Continuing, the special dispatch says: "The government has no choice if the United States adopts a threatening attitude, for the prospect of war is popular with all parties, and the more excitable newspapers are already urging the government to take measures to enable Spain to strike the first and decisive blow."

PREPARATIONS TO LAND TROOPS IN HAVANA.

Tampa, Fla., February 25.—Although the officials of the company have not so stated publicly, pretty much everybody here understands that the Plant system has completed arrangements for the transportation of troops and munitions of war to Havana on short notice. All of their ships have been placed in condition for emergencies, a statement around which is said that they have perfected plans to land a large body of troops in Havana within thirty-six hours after their arrival at this place. Troops can be transported from Washington and New York to this port in from twenty-four to thirty hours. The company also has arrangements to land troops to land promptly men and arms at Key West and all strategic points on the coasts of Florida and at Mobile.

COAL FOR NAVAL STATIONS.

Pittsburg, February 25.—The Post tomorrow will say: "It was learned today in Pittsburg, through an officer of one of the largest coal corporations doing business in this district that the navy department had closed contracts with the Pittsburg coal company, Curran & Bullitt, of Philadelphia, for the delivery at Key West, Sand Keys, Dry Tortugas, Savannah, Charleston and Fort Monroe of 250,000 tons of Pocahontas coal, and with the Rhodes and Biedler Coal Company, of Cleveland for the delivery of 50,000 tons of the same coal of the same company. The stipulations of the contracts just placed are that the coal so ordered shall be delivered at the designated coaling stations as soon as it is possible to do so and that the utmost secrecy be observed about the matter. In carrying out these contracts, the navy department will be enabled to play a most prominent part, and for the purpose of moving everything as expeditiously as possible, President M. E. Ingalls, of the Chesapeake and Ohio railroad; Receiver Oscar G. Murray, of the Baltimore and Ohio, and General Manager L. J. Forney, of the Pennsylvania, will be in Washington next week and consulted with Secretary Long, of the navy, and Assistant Secretary George D. Meikeljohn, of the war department, on the matter. Contracts and all arrangements for the rapid handling and shipping of the coal will be made by the navy department, understood, agreed to pay a bonus to both the coal miners and the railroads if the 300,000 tons were delivered within a specified time."

Norfolk, Va., February 25.—The rumor that the government is securing from railway companies estimates of their capacity for moving troops and munitions of war between Atlantic and gulf ports and the interior is officially denied by Vice President St. John, of the Seaboard Air Line, whose road was mentioned in the reports. Mr. St. John said today that the government was such move on the part of the war department and as to contracts for moving troops, he had heard nothing of them.

THE MAINE SLOWLY SINKING.

Havana, February 25.—The wreck of the Maine is slowly but surely sinking into the mud. Before the hull could be raised it would be necessary to remove the guns and deck debris. For lack of proper appliances practically nothing in this line has been accomplished.

The cloudy weather and rain made the work of the divers unsatisfactory today and very little was done. It is said that a hole has been made by the divers in one of the forward hatches, and it is hoped that a number of bodies will be recovered. The court of inquiry is longer than usual today, the divers having been working in detail than heretofore. The time of departure of the Manrovo with the court for Key West has not been determined. Captain Sampson said today that it was doubtful whether his vessel would sail tomorrow; that all depended on the development of the testimony.

The Spanish cruiser Alfonso XII has been towed to a buoy further within the harbor to make room for the cruiser Vizcaya which is expected here tomorrow or the next day from the north.

The afternoon session of the court of inquiry, the examination of divers was continued. A civilian, whose testimony is said to be of some importance, was also examined. The name of the witness and all the particulars of his evidence are withheld.

Late today the paymaster's safe, with \$22,500 and his papers, was taken from the wreck. Beyond this no statement is made as to the value and nature of the contents, but a large quantity of water ran out when the safe was raised above the surface.

The complaint is still made that the electric lamp, and of little use to the divers, as the light is faint and uncertain, and to hold them takes one of the diver's hands. So far as reports made public go, the workmen on the tug Right Arm, with the assistance of the naval divers, are laboring hard to recover the body of the man who was killed which led to the fire room platforms. Shoring with timbers was necessary and the divers had to wait for the lumber today.

The Havana papers print long extracts from the American dailies, but, of course, only of delayed news. All the Americans are anxiously awaiting the arrival of tomorrow mail.

Consul General Lee says he has received no news of importance from the state department today nor been notified to expect the arrival of any one of prominence. It is believed here that

if any American of national reputation comes to Havana now it will be to study the situation for himself and not as an official commissioner.

At 6 o'clock this evening when this dispatch is sent Holzer is still sleeping under the influence of an opiate. He is no worse than he was this morning, but is very low. Including him, there are six wounded left here, five of whom are reasonably certain of recovery. Some difficulty may arise in removing them to the United States, for all have been exposed to contagious fevers and the quarantine laws forbid their being taken direct to Key West. These regulations were disregarded in the case of the first lot taken there on the Olvett the day after the explosion, but only because of the extreme exigencies of the case.

SENATOR PROCTOR SAILS FOR HAVANA.

Key West, Fla., February 25.—Senator Proctor is among the Massachusetts passengers. Before sailing for Havana he was shown a dispatch published here, saying that there is considerable excitement at Havana over his expected visit. He read it, laughed and said, "Absurd."

In reply to a request for a detailed statement regarding his visit, Senator Proctor said: "It is all simple and straight as day. I've been to Havana several times before and have many friends there. I've been fishing several days in Florida with Colonel Parker, a business man of Washington and a friend of mine, and we have decided to go over to Havana." The correspondent of the Associated Press suggested that some people might think Havana strange place to go for fish just now. Senator Proctor laughingly replied: "To tell the truth, we are just going over there to see what's going on, to see where the excitement is. There is not a bit of political significance about it. I may stay in Havana a day or a week. I have not the remotest idea how long."

Commander Clifford H. West, chief of Admiral Seward's staff, also sailed on the Massachusetts. When asked the purpose of his visit to Havana, he replied: "I cannot say anything for publication."

Rear Admiral Seward is still in charge of the fleet, which, with the exception of the New York and Iowa remain at this harbor. The admiral said tonight that he expected to be better soon. He looks much improved. When asked with reference to the expected arrival tomorrow of the court of inquiry, Rear Admiral Seward said: "I have received no notification of its coming. When it does come it will probably sit in the United States court house building here."

The admiral expects the Marblehead and the Detroit on Sunday, but says the fleet will not be brought in a body to his harbor.

THE VESUVIUS GOES TO SEA.

Jacksonville, Fla., February 25.—The United States dynamite cruiser Vesuvius, Captain Pillsbury, went to sea today. Her destination is unknown.

STATE PRESS.

If Governor Russell has done this thing—if he endeavored to hire Bob Hancock to assault editor Daniels, he should be made to resign by stress of public indignation and withering contempt. But first let the proofs be forthcoming, Mr. Hancock.—Goldsboro Herald.

It seems that Chairman Jones and Chairman Butler have about arranged for fusion of democrats and populists on the national issues in the next presidential campaign. Whether this arrangement will be ratified by the states remains to be seen and will depend upon certain contingencies. There is one thing certain and it is this: If Chairman Butler's party fuses with the republicans again on local issues in North Carolina, there is no sense in North Carolina democrats having anything to do with any kind of national fusion with the populists.—Clinton Democrat.

When we consider that criminal statistics show that of the number of convicts that serve out their terms in the penitentiary and are discharged, 60 per cent. of them commit crime again and are returned, the argument that the penitentiary is at all reformatory in character falls to the ground. And the necessity of a reformatory where our judges can place the amateur and youthful class comes to the front. Had North Carolina a place of this kind this 11 year old boy, convicted of larceny, might be sent to it with the hope he would return home not only prepared by the learning of some trade to gain an independent living, but so reformed that he might make a useful, good citizen.—Washington Messenger.

It is strange, mighty strange, that all the petitions of all the lawyers of no one knows how many North Carolina towns, and all the letters of no one knows how many judges, cannot bring a speedy and favorable report from the sub-committee in favor of the configuration of the nomination of H. G. Ewart to succeed Judge Dick. Judge Ewart freely admits that he is a jurist as well as an ermine trailer, and the office stands vacant—then why this delay? The fact is that if Marion Butler is in earnest Ewart's nomination never will be confirmed; he is not judicial enough, and only the most severe self-repression and study and hard work could ever make a man more than a fairly good judge.—Asheville Citizen.

Mr. Airy News: The revival at Main Street Church, conducted by the Quakers, is a glorious meeting and seems to grow in interest.—The passenger train arriving here Wednesday night, struck a pole that had been placed across the rails the far end of Lovell's creek bridge. Fortunately the train was moving rapidly and the pilot knocked the obstruction to one side.

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THE PENITENTIARY

The Building and Grounds Inspected by a Messenger Staff Correspondent—He Witnesses the "Initiation" of Two New Convicts—Improvements Made—The Shirt Factory—The Big Garden

(Special Correspondence.)

Raleigh, N. C., February 26.

A few months ago there was ceaseless ridicule of the penitentiary. That was during the reign of John R. Smith; gone, never to return. Families were then quartered in the prison—a most unseemly sight. Now there is a business-like air about things, and save for a lack of neatness in the rear enclosure and the dangerous old log stables, it is difficult to find fault with the appearance. Thursday afternoon our correspondent spent a couple of hours in the prison. It is a quiet place and the few convicts now quartered there seem almost lost amidst the vast buildings.

While chatting with Warden Russell a rattle of wheels is heard and a sheriff and two convicts are driven under the arch of the portal. The convicts, negro men, shamble in and stand awkwardly while the commitment papers are examined. They are in sharp contrast with a veteran convict who stands near and who, in fact, opened the door for them. The veteran, well set up, has in comparison the air of a soldier long used to barrack life, while the new arrivals have all the ungainliness of recruits. The sheriff gets his receipt and slips off the handcuffs. "Behave yourselves, boys," says he, in farewell, and the last arrivals are marched into the basement of one of the great tiers of cells. The barrier takes possession of them off to their hair and mouth washes, off go old clothes, which a veteran convict, handling gingerly and holding far from him, carries to the engine room to be thrown into the fire. Next the new comers go into a hot bath and then are given a treatment of mercurial ointment, to rid them of any souvenirs of their jail life. The last process is the donning of new clothes from head to foot, and there they stand, cleaner than ever before and in the stripes. They smile, even the younger one grins, and he a murderer, who gets fifteen years.

But the objective point of the visit is the new shirt factory. It is the last of several prison enterprises. Years ago, say twenty, there used to be a large shoe factory. Later, there were some making of cells for jails, of plug tobacco, of horse collars and of shoes again. But the Knights of Labor, once so powerful in this district that they elected a congressman, but now not even a member, stopped manufactures in the prison by searing officials on political grounds. The shirt factory is in the chapel, in the east wing. It is well lighted and spacious and lofty. In each of its two departments are twenty-eight sewing machines, operated by a steam engine, specially put up.

The beginning is in a small way and only fifteen convicts are at work. They are making negligee shirts, colored, with collars and cuffs attached, and Mr. Hall, who is the representative of the New York contractors, says the convicts are learning as quickly as any man he ever saw. One tiny convict, a pale-faced white youth of 15 years, attracts attention. He is found to be Clay McCarthy, of Asheville, who murdered a young playmate at Asheville. He operates a machine which cuts and makes button holes with wonderful celerity and neatness, but just now he is sewing on buttons. After a while the shirts will be laundered in the penitentiary, but for the present Hilderbrand & Co. ship them to New York. Instructors are scattered here and there amid the whirring machines.

Observing that only male convicts are employed at the machines the question was asked if women would not be employed. In reply it was said: "Most probably not. Some of them are at work in the garden, and some in the laundry, and do you know that they are better field hands than men, save as to ploughing." Superintendent Hall says that in a little while 100 dozen shirts a day will be made. The penitentiary gets 24 cents a dozen for making them.

Leaving the shirt factory a stop is made in two of the cell "blocks." The cells rise in tiers, five stories high, each cell in a mass of masonry, with, as a

casing over all, the brick building which people see from the outside. Just now white-washers are at work and all the iron work is being painted a glossy black. The whites have one tier of cells, the negroes another. They are never mixed.

The garden is the last place visited, and on the way to it Warden Russell says that it is going to be one of the finest in the state—"thanks to Old Master." This is the universal prison name for Gardner Penton, who was brought here from one of the convict farms on the Roanoke. Warden Russell says he does not see how the old garden, of barely four acres, sufficed, and adds: "Now we have forty acres and will try to feed all our prisoners therefrom. There will be turnips, Irish potatoes, a like amount in corn and peas and also in sweet potatoes. Brickmaking has always been the chief industry at the penitentiary. This year more ought to be done in that line than ever, so great is the demand in Raleigh for brick. All those made in one prison last year have been sold here."



SPRING WORK

WILL SOON BEGIN ON BOTH FARM AND GARDEN AND FARMERS AND HOUSEHOLDERS WILL NEED ALL KINDS OF AGRICULTURAL AND GARDEN IMPLEMENTS AND DEALERS WILL DO WELL TO LOOK AT THE HIGH PRICES WHICH WE ARE QUOTING PRICES THAT YOU WOULD PAY FOR SUPERIOR GOODS ELSEWHERE. OUR GOODS AND PRICES ARE BEYOND COMPETITION, QUALITY CONSIDERED. OUR

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