

Asheville Daily Gazette.

Vol II: No. 270.

ASHEVILLE, N. C., WEDNESDAY MORNING, DECEMBER 22, 1897.

Price 5 Cents.

Our store will be open every evening of this week.

HOLIDAY GOODS.

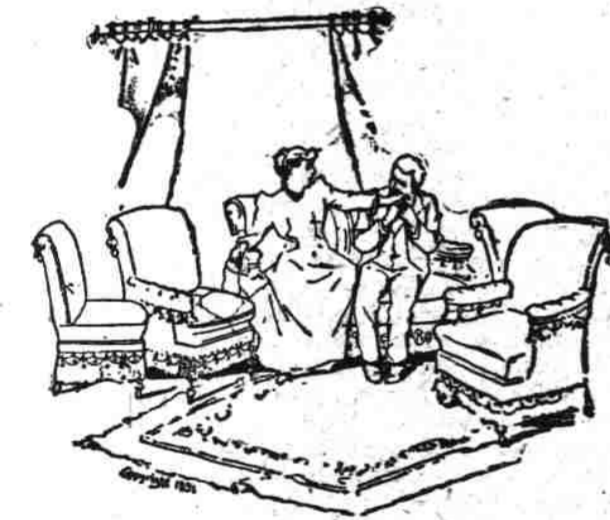
The Christmas shopping and buying is now the order of the day. Very little time left for decision, but there is no need for hesitation about where to buy, because our's is the store to visit for the nicest goods, and last, but not least—bargain prices.

Holiday Specialties are Here in Great Profusion:

Handkerchiefs, Umbrellas, regular holiday styles; Metal Smoking Tables, Metal Picture Frames, Collar and Cuff Boxes, Metal and Dresden Toilet sets, Easel and Hand Mirrors, Fancy Garters, Perfumery, "Alexandre" French Kid Gloves, Shaving sets, Manicure sets, Artistic Fancy China and Dresden Ware, Glove and Handkerchief Boxes, Jewelry, Etc.—that's always the last word.

OESTREICHER & CO.

28 South Main Street.



The All Important (?)

Is your house well furnished. If not, why not, when furniture is going so cheap? How about that bedroom suit that you have been thinking about so long? Nice oak suits going now at \$15.00. Industrial coupons taken on all cash purchases.

W. A. BLAIR.

Phone 75. 45 Patton Ave

TO ADVERTISERS

Hereafter advertisements for the Gazette must be received at the Gazette office before noon, in order to receive publication in the issue of the following morning. An early edition of the Gazette is to be issued to go out on the mid-night trains, east and west, and in order that all advertisements may be inserted in this edition which will have a large circulation in addition to that now possessed by the regular edition of the Gazette it will be necessary that advertising copy shall be in the hand of the type setter at an early hour.

I offer to sell sixteen acres of land (including top of Town mountain) at reduced price if purchased within next ten days; it is known as the Jersey lands. The top has the highest elevation in Asheville; from it there are grand mountain views on all sides.
E. COFFIN,
29 Haywood street.

RUSSELL'S CLEMENCY

Extended to Persons Convicted of Killing.

Young Riley Pate of Yancey Escapes the Gallows

His Sentence Commuted to Life Imprisonment.

Robert Dougherty of Asheville Given His Liberty.

An Alleghany County Convict Set Free—A Christmas Wave of Lender Heartedness on the Part of the Executive

Special to The Gazette.

Raleigh, Dec. 21.—Governor Russell today pardoned Robert Dougherty, convicted of manslaughter at the June term, 1891, of Buncombe criminal court and sentenced to twenty years in the penitentiary. The governor gives the following reasons for his action:

"This pardon is recommended by E. D. Carter, who prosecuted the case and whose letter gives reasons sufficient and satisfactory for granting it. It is also advised by V. S. Lusk, by the private prosecutor and by the widow of the deceased, and by all the jury who tried the case, by many members of the bar of Buncombe county, and by numbers of responsible citizens. It appears that this homicide was without malice or premeditation or actual intent to kill and was not without some provocation. Dougherty had been in the penitentiary about six years, and has suffered enough."

Dougherty made his escape the night of the killing, which occurred on Smith's bridge near the city limits. Torrence and Dougherty's brother were riding double on a horse when Robert Dougherty struck at the two with a spike, breaking Torrence's neck.

It is thought by some that Robert Dougherty intended the blow for his brother, there being some jealousy between them.

Dougherty was spotted by officers in Galveston, Texas, and the sheriff of this county notified. H. C. Jones, then a deputy under D. L. Reynolds, was appointed by the governor a special agent to arrest Dougherty and he found him at work in a livery stable in Galveston and arrested him and brought him to Asheville, where he was tried.

Dougherty consented to a verdict of manslaughter and received the sentence of twenty years in the penitentiary.

Raleigh, Dec. 21.—The Governor today pardoned Preston Andrews convicted of manslaughter at the spring term 1896, of the Alleghany county court and sentenced to three years in the penitentiary. Crockett Holbrook and Preston Andrews were convicted under the same indictment of feloniously slaying George Edwards. It appears that in the altercation between the deceased and Ell Lowe, the two boys who were convicted, were friends of the deceased, and that Andrews was also a cousin. Through an accident Edwards, the friend of the prisoner, was killed. The solicitor who prosecuted the case certifies that it was the understanding at the time of the conviction that after one year's service the judge would recommend the pardon of Holbrook. The other defendant was pardoned by Governor Carr. Andrews appears to have had no connection with shooting at all.

The Raleigh Press Visitor of Monday contained the following: John A. Hendricks of Madison county is in the city. He came from far off Madison to plead with the governor in behalf of William R. Pait the seventeen year old boy who while under the influence of liquor killed a little companion fourteen years of age. The case was carried to the Supreme court and that body affirmed the decision of the lower court which had convicted the boy of murder in the first degree. Mr. Hendricks says that the boy is small for his age, is not bright and liquor was the sole cause of the murder. He has a mammoth petition from citizens of Yancey county in the boy's behalf.

TRIAL OF J. E. LINDSAY

FOR EMBEZZLING FUNDS OF THE TEMPERANCE LODGE.

Points of an Alleged Defective Indictment Made by His Counsel Ruling Today.

In the circuit court the case of J. G. Lindsay, charged with embezzling \$1,000 of money belonging to the Sons of Temperance of Asheville Division, No. 15, is now on trial.

It is alleged that this money came into Lindsay's hands as trustee for the division from the sale of its hall over Carmichael's drug store to E. J. Aston in 1892, Aston owning the first story of the building.

The day in court yesterday was consumed in the development of the states case against the defendant, in the progress of which it came to light that some time in 1896 the defendant was arrested in Cocke county, Tennessee, near Newport, whither he and family had removed sometime before, and a requisition was made for him by the Governor of North Carolina upon the Governor of Tennessee, which requisition the Governor of the latter state declined to honor. Lindsay afterwards voluntarily returned to this city, his old home, and signified his willingness to be tried for the alleged embezzlement. Accordingly a bill of indictment was sent against him, which charged the offense, but failed to aver the ownership of the money alleged to have been misappropriated.

The solicitor being unwilling to rely upon this bill sent another at the January (1897) term of the court, and it is upon the last bill that the trial is now proceeding. The state showed the receipt of the money, its deposit in the National Bank of Asheville and produced a large number of checks, upon that fund rapings in amounts to from \$5 to \$64, alleged by the state to have been used for Lindsay's individual purposes.

About an hour before adjournment the state got through its evidence in chief and rested its case.

The defendants counsel by permission of the court presented some legal views of the testimony upon which it was claimed that the defendant was entitled to be discharged.

These points are as follows: First, That the bill of indictment alleges embezzlement by a trustee and the section of the code under which the indictment is founded does not mention trustees among the persons who may commit embezzlement in violation of its provision; second, the bill of indictment alleges a corporation chartered by act of the General Assembly, and the proof showed no organization under the said charter; third, the bill of indictment alleges the money as the property of Asheville Sons of Temperance, lodge No. 15, and the proof showed that it was the property of the National division of the Sons of Temperance; fourth, the bill alleges the money to be the property of the Asheville Sons of Temperance, lodge No. 15, and the proof showed that there was no lodge No. 15, but a division No. 15.

Judge Ewart over ruled the last three positions of the defendant's counsel and intimated that unless the state could show authority to the contrary at 9:30 this morning he would hold with the defendant's counsel on this first position.

If the Judge should hold with the defendant on the first position he will be discharged. If he holds against the defendant on this position the trial will proceed and will likely consume today. The state is represented by Solicitor McCall, assisted by George W. Justice, who is also marked as prosecutor in the case. The defense is represented by Judge Shuford, Col. Lusk and Judge E. D. Carter.

Miss Emanuel, stenographer, is taking down the testimony in the case.

CALIFORNIA FROST BITTEN

HEAVIEST FREEZE IN OVER TWENTY YEARS REPORTED.

Ten Thousand Carloads of Oranges Exposed to Its Injurious Effects.

San Francisco, Dec. 21.—The heaviest frost for over twenty years is reported today in all parts of the state. Experts estimate that 10,000 car loads of oranges, aggregating 300,000 boxes, were exposed to the frost. This loss will amount to \$600,000, not counting damage to citrons, lemons, limes and other fruits.

SUPREME COURT DECISIONS.

Some for This District Handed Down Yesterday.

Special to The Gazette.

Raleigh, Dec. 21.—The supreme court today filed the following opinions: Tabor against Clark, and Kilne against Lumber company, from Swain; motion to docket and dismiss allowed.

Cunningham against Cunningham, from Transylvania; affirmed.

State against Gibson, from Buncombe, no error.

WHITE GIBS INDICTED.

The grand jury returned true bills against the alleged whitecappers from Sandy Mush yesterday. This case is set for trial next Monday week.

The germ of the wheat is contained in Blitmore Patent Flour. It is highly nutritious and superior to any flour on the market. Every time you buy flour, insist upon having Blitmore Patent.

GOOD, established, paying business for sale. For particulars address box 705, city.

COTTON MILL TROUBLES

Blue Promise for New Year in New England.

Owners Refuse Concessions to Operators.

Will Insist on the Proposed Reduction in Wages.

A Big Strike Will Probably Begin on January 3.

New Hampshire and Maine Mill Operators Likely to Accept a Temporary Reduction in the Hope That Trade Will Revive Later.

Fall River, Dec. 21.—The conference between the cotton manufacturers and the operatives for the purpose of settling the present difficulties was fruitless. This afternoon the manufacturers in a letter to the unions informed them that they will hold to their first decision and reduce wages 11 1/2 per cent. on January 3. The operatives will resist. It looks as if the city will be plunged into one of the worst strikes of recent years.

The operatives in New Hampshire are inclined to accept a temporary reduction in wages, as a present refuge until business revives in spring.

Advices from other cotton centres in Massachusetts and Maine indicate that while these mills are watching the situation closely, and some rumors of cuts are abroad, there is no imminent danger of such reductions unless forced by cuts at Fall River and Manchester.

THE WORK OF ROBBERS.

Murdered a Man and Looded the House.

St. Louis, Dec. 21.—Jacob Weisner, 60 years old was found dead this evening on the kitchen floor of his home, 4321 Broadway. He had been choked to death by robbers who fearing he was not dead, bound and gagged him. The house was ransacked and everything of value taken.

RIOT AT A HANGING.

Liberty, Mo., Dec. 21.—At the hanging of murderer William Carr last Friday a mob broke down the barriers about the gallows and created a disgraceful scene. Yesterday the brother of Carr's widow secured the arrest of Ernest Fightmaster, twenty years old for robbing the corpse of a ring while the body was yet dangled. Fightmaster admitted the theft.

Monterey, Mex., Dec. 21.—All the sugar planters of Mexico have formed a trust for the purpose of regulating the production and price of sugar in this country. They claim the price is too low.

NEGROES INDIGNANT

AT THE RESOLUTIONS ADOPTED IN SAVANNAH.

Meeting Called For To-night to Resent the "Insult" to Their Race.

Savannah, Dec. 21.—The colored residents are incensed at the resolution adopted by the whites at the cotton exchange yesterday, protesting against the appointment of colored men to office in Savannah by President McKinley. The following circular was issued by them today:

"To All Loyal Colored Men: Your race has been insulted. Will you resent it? Meet at Harris street hall on Wednesday night, December 22 and stamp your disapproval. Attend yourself and encourage your friends to do so. Don't allow the insult to your race to go by without resenting it. Be loyal."

The meeting will be attended by several hundred negroes.

FOR THE CHILDREN'S HOME.

The management of the Children's home solicit contributions from the public and all who feel able to make donations to this deserving institution will kindly leave the same at the homes of Mrs. Doe and Miss Fannie Patton. It is hoped that the Asheville public will show its characteristic generosity in reference to the appeal for the children of the home.

The many friends of L. Swicegood will regret to learn that his condition is quite critical at his home on South Main street. He was stricken with paralysis Sunday and has been unconscious ever since.

CORBETT WANTS TO FIGHT.

New York, Dec. 21.—Corbett had a long confab with Dan Stuart today. He asked Stuart to go with him to Chicago and confer with Fitzsimmons as he is confident the latter would accept several propositions he had to make to bring about a fight. If Stuart wouldn't go he said he would go alone. He did not intend to have trouble with Fitzsimmons, and if Fitz. finally determined not to fight he would be satisfied. Stuart expects to hear from Fitzsimmons tomorrow and if what he hears is encouraging he will go with Corbett. Corbett declined to state what propositions he had to make.

CUT THROUGH JAIL WALLS

Six Desperate Negro Prisoners Escape at Newport News.

Newport News, Va., Dec. 21.—Friends of six desperate negro prisoners to-day smuggled to them in the Warwick county jail a chisel, knife and file with which the prisoners cut a hole through the double brick wall and escaped.

At the special election yesterday the voters barely carried the proposition to spend \$90,000 on a new building.

QUINCEY RE-ELECTED

POLLING A TREMENDOUS VOTE FOR MAYOR OF BOSTON.

The Vote of the Silver Candidate on Which the Republicans Reckoned was Very Small.

Boston, Dec. 21.—Mayor Josiah Quincy, democrat, was re-elected today, polling a tremendous vote, carrying every democratic ward and running very strong in republican wards.

The total vote, with but one small precinct missing out of 191, is as follows: Quincy, 39,707; Curtis, 35,741; Riley, silverite, 2886. Quincy's plurality 4,048. The Riley vote, upon which the republicans based hopes of defeating Quincy was ridiculously small, a paltry 2800 votes in place of from 10,000 to 14,000 estimated by his managers and the republican machine.

VANCE MONUMENT

TO-DAY'S EXERCISES OF THE CORNER STONE LAYING.

The Line of the Procession to Begin Moving from The Masonic Hall at 10:45.

Today will be a memorable one in the history of Buncombe county, the occasion being the laying of the corner stone of the Zeb Vance monument. Every arrangement has been made, and the exercises will be attended by a large audience of the late Senators friends and admirers.

The Masonic fraternity having the exercises in charge have spared no time or pains in making the occasion one creditable to Buncombe county—Vance's birth place and the home of his youth. The program as arranged will prove a most interesting one, and it is to be hoped that the weather will permit of the attendance of the many friends who desire to come and take part in the exercises.

Asheville and Blitmore lodges with many visiting members will meet at Masonic hall at 9 o'clock to welcome the members of the Grand lodge. The line of procession will begin from the hall at 10:45 and march from the hall under the direction of the marshal. The following program will be observed the weather permitting:

Music, Asheville Orchestra.
Ode, Fred Moore, esq.
Prayer, Rev. Chas. W. Byrd, D. D., as Grand Chaplain.
Music.
Deposit of articles and memoranda of interest in the stone by Grand Treasurer William Simpson.
Music.
Setting stone by Grand officers.
Invocation.

"America," pupils city schools.
Oration, Rev. R. R. Swope, D. D.
"The Old North State," pupils city schools.
Benediction.
Music.
Invited guests will be ushered to seats on the platform on presentation of tickets to the ushers, John A. Wagner, and Marcus Erwin.

The corner stone of the monument will be underlaid with the proceedings of the last session of the Grand lodge, a Bible and numerous coins furnished by old Veterans.

Stable for rent near Hotel Berkeley. Also one set of hand-made double harness at \$10.00.—S. H. Chedester.

CUBANS CAN'T BE BRIBED

The Meaning of the Execution of Col. Ruiz

Laying the Responsibility of His Death on Blanco.

A Letter From the Commander Found on Ruiz's Body.

Offering a \$100,000 Bribe to Col. Aranguren.

Two Other Commissioners Said to Have Been Hanged by the Insurgents For Attempting to Purchase a Surrender.

New York, Dec. 21.—Delegate Palma, of the Cuban junta, said today that the recent execution of the Spanish officer, Col. Ruiz, by the insurgents for endeavoring to persuade Col. Aranguren to accept autonomy, did not occur until the Spanish had full knowledge of the consequence of such efforts. The blood of Ruiz was therefore on the head of Blanco who sent Col. Ruiz to the insurgents, well knowing the consequences.

Palma gave warning that hereafter all peace messengers will be shot unless they come conceding Cuban's independence.

Havana, Dec. 21.—The insurgents found on the body of Col. Joaquin Ruiz, a letter from Gen. Blanco authorizing Ruiz to offer \$100,000 to Col. Nestor Aranguren and a high office to Aranguren's father, who is now in the United States. Blanco gave pledges in the letter that both promises would be fulfilled immediately after the return of Aranguren to Havana with Col. Ruiz. The letter extended a similar offer to Col. Raoul Arango if Aranguren, after accepting the terms, should use his influence with his friend Arango to that end.

Gen. Blanco and his staff were talking at a dinner three weeks ago about the failure of former attempt at bribery and Ruiz volunteered to make another attempt. Next day Ruiz repented but it was too late to withdraw and he went to his death.

The news is circulating here that Gen. Jesus Rabi, second in command of the insurgent army in Santiago de Cuba, hanged two commissioners sent to him by Gen. Pando with an offer of autonomy and a large bribe if he would surrender. One of the guides was released and sent back to Pando with a letter from Rabi, in which the Cuban commander said:

"If you think our law sentencing to death those who come to us from the Spanish authorities with such proposals does not mean what it says, you will now be convinced to the contrary. Until Spain recognizes the independence of Cuba we shall answer Spaniards only with death. If you want to take our lives in revenge come and take them."

TO CURE A COLD IN ONE DAY

Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. 25c. The genuine has L. B. Q. on each tablet.

J. H. Law announces that he will keep his store open every night this week until 10 o'clock. 269-5

We wish to take this opportunity of

thanking the public for their many kind expressions and also for making our openings

such a brilliant success. We wish to apologize for not having our stock in better

shape, but the extra, unexpected rush just

at this time, both in town and from catalogue orders, made it impossible for us to

be better prepared.

We have endeavored this year to put on the market our usual high grade of

goods, at prices much lower than ever before, and we can safely say that we are

now selling goods as low if not lower than any other jewelry house in the country,

who handle a high class of goods.

ARTHUR M. FIELD,
Leading Jeweler, Cor. Church St. and Patton avenue, Asheville, N. C.