

Asheville Daily Gazette.

Vol III: No. 13,

ASHEVILLE, N. C., WEDNESDAY MORNING, FEBRUARY 23, 1898.

Price 5 Cents.

Oestreicher and Company

28 S. Main St.

Our buyer in now in New York purchasing our spring stock of Dry Goods and Notions, which shall command your admiration by the many novelties and choice selections. We will also offer you splendid inducements to patronize us by saving you money on your purchases.

Lace Curtains

is to be moved; the following price-cuts ought to do it.

\$1.00 Lace Curtains	65c Pair
\$1.25 " "	75c " "
\$1.50 " "	90c " "
\$1.75 " "	\$1.25 " "
\$2.00 " "	\$1.48 " "
\$2.50 " "	\$1.75 " "
\$3.25 " "	\$2.25 " "
\$4.00 " "	\$2.75 " "

Two pairs Ecu Applique Holland Curtains, regular \$5, at \$3.50 per pair.
Chenille Draperies at very low prices.
Big reductions in all Draperies, Silkolines, Denims, Dotted Swisses, etc. Sofa Pillows at half price.

DISCOVERY BY DIVERS

Evidence that the Maine's Magazine Did not Explode.

Bag of Powder Brought up From the Wreck of the Ship.

Senate Votes for Increasing the Country's Military Strength.

Havana, Feb. 22.—An important discovery was made today in the Maine. The divers brought up a powder case for one of the ten-inch guns, which they took from the part of the battleship destroyed by the explosion and in which the main gunpowder magazine is situated. The gunpowder discovered was in a bag, and the bag was contained in a copper case. The case was entirely closed, but had an exterior mark

Ambrosio hospital. After frightful agony, in which the sailor was delirious several hours, he fell into a swoon and passed peacefully away. Holtzer is still in a very feeble condition and may die at any time.

A sensational editorial is printed this afternoon in La Lucha against Capt. Sigbee. It says Sigbee is unwisely forming part of the court of inquiry. La Lucha adds that the captain is judge in his own case, and that, therefore, all conclusions of the court of inquiry will be inadmissible in every principle of justice.

The court of inquiry, accompanied by Gen. Lee, called on Blanco this morning, and later on Admiral Manroza.

WAR SPIRIT IN SENATE.

Washington, Feb. 22.—After the reading of the Lowell address of Washington by Senator Lodge in the senate today, the following resolution, offered by Senator Morgan, was adopted:

"The committee on naval affairs is instructed to inquire and report whether a man-of-war, equal at least to any warship in the world, to be named George Washington, can be built, armed and commissioned within twelve months, by the use of the facilities of the ship yards, machine shops, mines and forests of the United States, wherever the same are found."

The bill to authorize two additional regiments of artillery was then taken up on motion of Senator Hawley, chairman of the committee on military affairs. The bill was opposed by Senator Bate of Tennessee, member of the military committee, because it would prove an unnecessary increase in the army.

There were now, Mr. Bates said, a dozen regiments idle all over the country, and

KILLED NEGRO POSTMASTER

Terrible Deed of a South Carolina Mob.

Placed the Torch to his House at Night

And Fired Volleys into the Blazing Building.

Negro's Wife Wounded and Child Killed

Two Other Children Shot—Repeated Efforts had Been Made to Secure the Removal of the Obnoxious Postmaster.

Charleston, Feb. 22.—Fraser Baker, the negro postmaster at Lake City, Williamsburg county, was murdered by a mob at

GEN. GORDON ILL

Suddenly Overcome at Port Huron, Michigan.

Toledo, O., Feb. 22.—General J. B. Gordon, the distinguished ex-Confederate, was killed to lecture here to-night. Every seat in the Valentine theatre had been sold in advance. Late this afternoon a telegram was received announcing that General Gordon had been taken suddenly ill at Port Huron, Mich. and was unable to travel any further. Private advices are to the effect that General Gordon is a very sick man.

VETERANS DISAGREE

Chambersburg, Pa., Feb. 22.—The local G. A. R. veterans recently invited the Gen. Turner Asbury camp of Confederate veterans of Winchester, Va., to participate in their Washington birthday campfire. A few days ago the Virginians notified the post here that the Confederate flag, "which was brought from Appomattox," would be carried in the parade. Housum post replied that the G. A. R. stood by its invitation, but all must march under "Old Glory" here or not at all. The Virginians thereupon recalled their acceptance.

HAS NO CIVIL JURISDICTION

Decision as to Judge Ewart's New Court.

The Act Creating it Unconstitutional.

Case of Rhyne vs. Lipscombe Remanded to Superior Court.

Reasons Given by the Supreme Court for its Finding.

Limitation of the Power of the General Assembly to Allot and Distribute Jurisdiction of Courts Below the Supreme Court.

Special to the Gazette.

Raleigh, Feb. 22.—In the case of Rhyne vs. Lipscombe, from Buncombe, the supreme court decided today that Judge Ewart has no civil jurisdiction.

The case includes the constitutionality of chapter six, acts of 1895, which amends the name of the "circuit criminal court of Buncombe, Madison, Haywood and Henderson," by striking out the word "criminal" and which confers upon the said court "concurrent equal jurisdiction, power and authority with the judges of the superior courts."

It is held by today's decision that the general assembly has power to allot and distribute jurisdiction of courts below the supreme court, but limitation upon this power, which provides that it must be exercised "without conflict with other provisions" of the constitution, renders unconstitutional the act creating a new court with substantially the same powers as the superior courts and yet under a different name and in the tenure and duties of its officers.

It is held that the superior court is at the head of the court system, below the supreme court, and from that court alone can appeals come to the supreme court. Appeals lie from the circuit or criminal or other inferior courts (immediately or immediately, as the general assembly may prescribe) to the superior courts, and thence only to the supreme court.

The decisions rendered by the supreme court in appeals heretofore taken from the said inferior courts, are valid objection to right of such appeal, not having been taken. Where no appeal to the superior court from the inferior court is prescribed, if the appeal would otherwise lie, certiorari in lieu of appeal will issue from the superior court, as in other cases in which appeal is not provided for. The plea to jurisdiction should have been sustained and the proceedings had in this case, in "circuit court," are held coram non iudice and the cause is remanded to the superior court of Buncombe county.

License has been issued for the marriage of H. D. McLean and Dora Allan.

NORTH CAROLINA GEMS.

The rare beauties of nature, so well represented in Western North Carolina, are becoming better known every day as people who are better educated in the formation and utility of minerals have found time to show their appreciation of these gems by using them in all kinds of adornment.

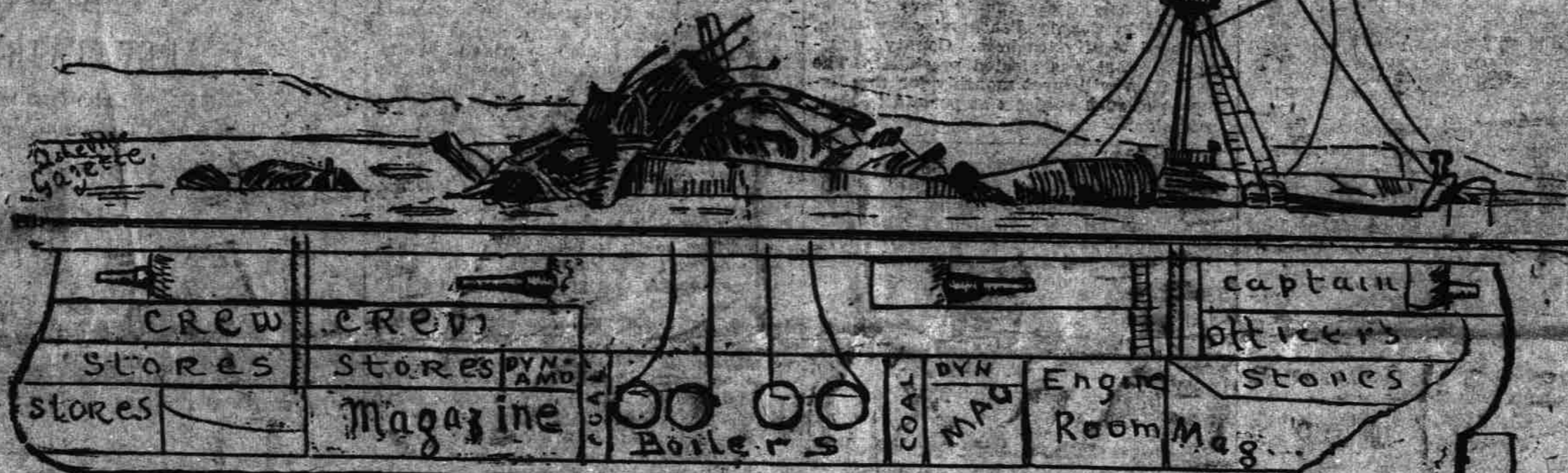
We have decided to class out some of these gems and offer them at prices that should make them all sell in a very few days.

WE OFFER:

- One lot of 21 gems at 50 cents each.
- One lot of 40 gems at 60 cents each.
- One lot of 169 gems at 75 cents each.
- One lot of 40 gems at \$1.00 each.
- One lot of 25 gems at \$1.25 each—sold.
- One lot of 6 gems at \$1.50 each.
- One lot of 3 gems at \$2.00 each.
- One lot of 5 gems at \$2.50 each—sold.
- One lot of 3 gems at \$4.00 each.
- One gem for \$4.00.

ARTHUR M. FIELD,
LEADING JEWELER.

Church street and Station square, Asheville, N. C.



The above illustration represents as much of the wreck of the battleship Maine as is now visible, reproduced from a photograph of the scene, and below this a plan of the ship, showing the location of the magazines, boilers, coal bunkers and the quarters of the officers and crew. The explosion was in the forward part of the vessel, occupied by the crew, the after part where the officers had their quarters escaping destruction from the explosion. In our illustration the plan is in the same position and position as the wreck above it.

Wagon Schedule.

- No. 1 leaves store 9:30 a. m. Eastern section of city.
- No. 2 leaves store 10 a. m. Western section.
- No. 3 leaves store 10:30 a. m. Southern section and Victoria.

Wagons are returned over their respective routes as they come in.

G. A. GREER.

SAY!

Would you like to find a store in Asheville that sells a real good coffee for at least five cents a pound less than you can buy it elsewhere?

WELL,

We have had several very particular buyers tell us that it really was as good as they had been paying five cents a pound more for at other stores. We have no fancy name for it, it's just real good downright coffee, and you can buy it from us at the same price any old time. We are talking about our 20 cent coffee.

BYARD'S PURE FOOD STORE

Phone 43 19 Merrimon Ave

ESTABLISHED.

Good paying business for sale. For particulars address N. O. P., Gazette.

ON PATTON AVENUE, NO. EIGHTEEN CORNER STORE FOR RENT. APPLY TO C. C. OBBENSTEIN, FIRST NATIONAL BANK BUILDING.

As if some hard object had struck it on the outside, but within the gunpowder is absolutely intact.

As the case was in the forward magazine, this discovery is conclusive proof that whether or not the magazine exploded, and it is the general belief that it did not explode—at least an important part of it remains intact.

Neither the divers nor any one having official connection with the investigation, is willing to say whether or not the magazine exploded. Any positive declaration about the matter at this time is premature. Yet the powder case with its powder bag intact, speaks for itself.

The case was taken from the Maine to the Fern and put in the gunpowder magazine of the revenue cutter.

There your correspondent saw it.

The divers failed today to place an electric light apparatus inside the Maine, as the wire obtainable in Havana is worthless for the purpose.

The work of the divers is progressing very slowly on account of the paucity of materials. The wrecking tug Neptune is eagerly expected from Key West. She will bring all necessary apparatus to raise the big guns and especially to clear away many large objects and iron pieces which are hampering the divers.

Among the objects brought up today is the fine silverware of the battleship, which was presented by the state of Maine, and also the loving cup, presented during the last visit of the Maine to New Orleans.

All the American ships in port have their flags in full display in honor of Washington. The Spanish ships are also floating American flags.

Cashier died this morning in the San

he thought they should be utilized for manning the forts on the coast.

Senator Hawley explained briefly why the bill should be passed. The army, he said, was steadily decreasing in proportion to the population. Congress has appropriated within the last dozen years \$81,000,000 for coastwise defenses. Under existing legislation, 572 guns would be put up and within two years there would be in position 159 guns and 232 new rifle steel mortars. The war department estimated that the men provided for in the bill would be sufficient for the present. It was very late, he said, to object to employing men to take care of these guns and learn to handle them. Each of these guns required as much skill as a locomotive or ordinary river steamboat. The bill was simply dictated by common sense. Every officer in the army desired its passage.

The bill was passed, Bate, Chilton, Clay and Vest alone opposing.

The senate then went into secret session.

PREPARING WARSHIPS.

Norfolk, Feb. 22.—Work on the monitor Terror, was completed at five o'clock today. She is ready to sail in the morning. The chief engineer worked all last night in the shops assisting the men.

The repairs on the torpedo boats, Foote and Winslow, were rushed even more than those on the Terror, and they will be taken from the dry dock in the morning. They are expected to receive orders to sail within the next twenty-four hours.

Six of the seven boilers of the Puritan have been repaired and work on the seventh is being rushed tonight. Eighteen of her twenty-odd furnaces have been put in.

(Continued on FIVE Page.)

one o'clock this morning. Since he was put in charge of the office by President McKinley, in September, diligent efforts have been made by the white people to have him removed. On one occasion he was fired at from ambush with a load of buckshot, but he escaped.

According to the best accounts obtainable, a mob of several hundred people, supposed to be white citizens, collected in a lonely spot on Monday night and arranged to kill Baker. About one o'clock they sneaked to the postmaster's cabin, which was also used for the post office, and fired it. The crackling flames aroused the family, which rushed out.

Immediately a volley of lead was poured into the cabin. Baker was among the first to fall dead. His wife, who was holding a young baby to her breast, had a rifle ball to pass through her hand. It afterwards buried itself in the child, killing it instantly. Two daughters and a small son were shot, but they may live. The mother was seriously wounded.

Before the shooting ceased the building was covered with flames and the bodies of Baker and his child could not be dragged out. This morning they were found, charred almost beyond recognition.

The injured children fled for safety, but they were not interfered with after the murder.

All the mail in the postoffice was destroyed.

It is claimed Baker was never a resident of the town and that he was lazy, ignorant and insulting to lady patrons at the postoffice. Petitions were sent to the postmaster general to have the man removed, but nothing was ever done about it. The petition was signed by 200 business men of Lake City. The murder has been reported to the authorities in Washington.

Baker was appointed postmaster three months ago. Lake City has five hundred inhabitants. The negro population in the vicinity is large. After the first assault, three months ago, Baker moved his family into a house on the outskirts of the town, where he established his postoffice. Senators Tilman and McLaughlin and Congressman Morton had asked the postmaster general to remove Baker, because of his color, but the request was refused.

A coroner's jury was impanelled tonight, viewed the charred remains, and then adjourned until Saturday.

TERRIBLE FOREST FIRES

SEVEN WOMEN BURNED TO DEATH.

They Were Fighting the Flames About Their Homes—Large Property Loss.

Columbia, S. C., Feb. 22.—Henry Blizard of Ridgeway, thirty miles north of here, reported today that in the forest fire in that section, besides much property, seven women were burned. Two of them were elderly married women, the others were girls. While fighting the fires about their homes they were caught by the flames.

In the county seventy homes were destroyed, so far as reported. In several other counties the damage has been as great. Public appeals for aid have been made.

If you are out for a walk don't forget the Swannanoa Cafe. 1214

Your attention is called to the Cafe, Swannanoa Hotel. 1211

Lenten Specialties:

MACKEREL
Fat Shore Mackerel, Soured Mackerel, Broiled Mackerel, Tomato Sauce, Fresh Canned Mackerel.

HERRING
N. C. Roe Herring, Smoked Herring, Kipperd Herring.

SALMON
Spiced Salmon, Salmon Steaks.

SARDINES
Smoked Sardines, Mustard Sardines, Boneless Sardines, Mushroom Sardines, Lobsters, Findon Haddock, Prepared Cod Fish, Boneless Codfish, Shrimps, Clams, Clam Juice, Crabs, Anchovies, Anchovy Paste, at

SNIDER'S, 6 Court Sq.