

# Asheville Daily Gazette.

Vol. 4; No. 27.

ASHEVILLE, N. C., FRIDAY MORNING, MARCH 01, 1899

Price 5 Cents.

**OESTREICHER & CO.,**

51 Patton Avenue.

**BY EXPRESS**

The noblest line of Tailor Made Suits that will be seen this season. Made by one of the most Reputable Tailoring Establishments in the country, for Spring of '99. Style up-to-date. Workmanship of the highest order, and fit Guaranteed.

Prices, \$10.00, \$12.50, \$14.50, \$15.50, \$18.00 and \$20.00.

Colors, Black, Navy, Brown, Tans and Blues, trimmed in cloth strips, buttons and cord.

We had a monopoly in this line

past season and propose capturing the town this spring.

High art garments at our low prices is the work.

**OESTREICHER'S**

51 Patton Ave.

**Fresh**

Smoked Findon Haddie  
Smoked Bloaters  
Smoked Herring  
Smoked Halibut  
Ferris Hams  
Ferris Breakfast Bacon  
Smithfield Hams  
Virginia Hams.  
Cured Country Style.

**G. A. GREER,**

WHOLESALE AND RETAIL FANCY GROCER.  
53 Patton Avenue.

**CROWN PERFUMERY**

**MATSUKITA,**

**VIOLET DE PARME,**

**GRAB APPLE.**

Will retail these odors at 50 cents per bottle

**Monday,**

**Tuesday**

**and Wednesday**

This is in the original 1-ounce bottles, regular price 75 cents. Will not sell more than one bottle to any one person.

**HEINITSH & REAGAN,**

**Druggists,**

Church St. and Patton Ave.

Phone 132 when in a hurry for Drugs.

## BREESE'S NOTES

Were the Subject of Yesterday's Testimony in the Trial of the Bank President.

Evidence That Prosecution Claims Shows Embezzlement of \$114,000.

Futile Contest by Defense to Prevent Introduction of this Testimony.

Insolvent Note Signers Tell Their Stories on the witness Stand.

C. B. Leonard Tells of his Connection with the Note Making Transactions.

The Many Notes Signed by Breese's Colored Servant—Condition of the Bank in '91, '92 and '93—Col. Burgwyn's Testimony—Did Not Believe Breese Innocent.

When federal court was called to order yesterday morning, George M. Coffin was recalled to the stand.

He was asked: "Did Breese make a statement to you about the value of the notes?"

Objection was made by the defense to any reference to these notes, as they did not go to prove any specific charge in the bill of indictment.

The prosecution argued that fraud being alleged, it was admissible to put in evidence any facts tending to show fraud, committed at or about the same time, if the frauds were of a similar character, by the same parties, at the same time, thus showing similar motives.

The objection was overruled and the defense excepted.

Witness in answering the question said: "I asked Breese when we were alone as to the value of the notes. He said the first thing there was little or no security for them."

Witness said he went for Dickerson to come and examine the pile of notes. Breese and Penland said he had gotten the benefit of them. He came, said they were all right, and left.

Witness testified that the face value of the fourth pile of notes—those which none of the bank men had gotten the credit of, was \$52,000.

Notes were offered in evidence and the defense objected to their introduction. Objection overruled and witness identified notes handed him as those in the fourth pile.

**THE NOTE MAKERS.**

Witness was asked: "Did you ask Breese about the standing of the note-makers?"

"Yes, and I regarded Breese's answer as evasive and indefinite. He would say in reply that man had some property he believed, and he didn't know where that man lived."

The government rested.

Senator Pritchard cross examined the

witness, asking him how long he had known Breese.

Witness replied since about the beginning of the war, in Charleston. He knew little of him after 1886. Had considerable correspondence with him as to how he could obtain cash on bonds held by him. Did not then realize that the bank was in a shaky condition and not until '93 did witness realize it. In '93 Breese came to know if a receiver appointed could be receiver. He was at the Charleston stock, he said, witness told him was unwise. He said the bank was solvent, and witness said that a receiver could not be appointed.

Witness testified that he realized in 1894 that the bank was borrowing a great deal of money, that the two ten thousand dollar notes made by Breese and Penland were a mortgage on the bank building; that subsequently they borrowed \$20,000 more, both of which transactions the comptroller approved of.

Witness was asked: "Did you have a talk with Breese between Asheville and Baltimore, in which you said you believed him innocent?"

"No, I did not, because I did not consider him innocent," witness replied.

Witness said that Breese's idea in changing the bank from a national to a state bank and reducing the capital stock \$50,000 was, he thought, to do away with the stock to that amount held by himself and to cancel his own and Penland's notes to that amount. Witness advised in favor of such a course, but had a consultation in Washington and advised the comptroller not to allow the change unless the creditors would consent. Breese got the consent of every creditor except one and the project failed.

**COL. W. H. S. BURGWIN.**

Colonel W. H. S. Burgwin was called and sworn. He came to Asheville in a day or two after the bank failed, and took charge of the institution, changing the combination of the vault and attending to the bank's protests, etc. Mr. Coffin told him on Friday that Mr. Breese had expressed a wish to see him, Coffin, privately.

Later when the notes were being sorted, he asked Breese what was the value of the notes, and Breese replied in a general way that they were worthless. Witness said he found as assets in the bank the notes spoken of; overdrafts in individual ledger; total, \$13,424.57; Breese's was \$1,125.17; Penland's, \$356.55, and Dickerson's, \$2,962.70. The Carolina Woodworking company's overdraft was \$4,869.90. There were cash items of \$1,685.93. Breese's expense account was \$953.80; Penland's, \$24; Carter's, \$41.67; Robertson's, \$25; Dorsett's, \$25. There was a belt containing coins. Breese said the belt was one of the decorations of a lady who represented the bank in an entertainment. The coins were pasted on the black velvet belt. There were several minor items.

Thomas M. Barker was called. He testified that at Major Breese's request he signed notes aggregating \$10,000. He had never received any benefit from these notes and had not been asked to pay them.

J. L. Cook testified that he had signed a number of blank notes, but not at Breese's request.

**C. B. LEONARD'S TESTIMONY.**

At the opening of the afternoon session C. B. Leonard was sworn. For seven years he had lived in Asheville. He testified:

"What property have you had?"

"Personal property only, to the value of \$300 or \$400; am a carpenter by trade; I signed notes for Mr. Breese."

"In 1890 or 1891 I went in the bank to get money to pay off my hands. Mr. Breese asked if I would accommodate him, and asked me to sign some blank notes. I said, yes, and signed two of three notes for \$7,000.

"I renewed the notes after that every two or three months up to the time the bank failed. I never got any money for the notes."

"You owe the bank anything?"

"No."

"Owe Breese anything?"

"No."

"Since that time have you owed the bank anything?"

"Yes, sir one note for \$100 signed by my wife and endorsed by me. I was working on the bank building at the time. I never paid anything on the notes signed, nor was asked to."

Witness was handed a pile of notes—ten. He said they amounted to about \$10,000. They were filled up when he signed them in Major Breese's handwriting.

"Did you get others to sign notes for Breese?"

**SOLVENCY NOT REQUIRED.**

"Yes, at his instance, about two years before the bank failed. He asked if I could get friends to sign notes; that it made no difference whether the parties were solvent or not."

"The first man I struck was J. W. Dillon. I think. He signed two notes at the first time. I got several others to sign twelve or fifteen different parties altogether."

"Dillon either signed five or seven notes."

"J. B. Andrews signed two, I think. He lives in Asheville. Dillon is a carpenter."

"W. S. Bradley signed notes for me, two or four. The last two were renewals."

"M. A. Cressman signed four or six notes for me, two at a time. He is a carpenter."

"L. M. Coon signed two notes for me. His occupation is first one thing and then another. He lived in Lincoln county. He was bumming around here. His brother married my sister; was worth nothing."

"W. F. Elliott signed two notes. He is an insolvent carpenter."

"John H. Eaton signed four notes. He is a plasterer."

"A. L. Foster signed two notes for me. He is an insolvent carpenter."

"J. E. Gaze signed four notes. He is a plasterer, insolvent."

"J. E. Joyner signed four notes; carpenter, worth nothing."

"Logan F. Kiser signed two notes."

**NOTES OBTAINED BY LEONARD.**

"M. A. Killian signed two notes. I happened to run across him in the club rooms."

"D. E. Killian lives in town. He signed two or four notes. Is insolvent."

"C. M. Mills signed 2 notes. Is insolvent."

"J. N. Cole signed 2 notes; stone mason, insolvent."

"T. D. McCall, 2 notes. He and Killian came here together."

"F. B. Mills, street car man, insolvent, 2 notes."

"Philip Neal, 2 notes; insolvent."

"Albert Pross, 2 notes; insolvent."

"Harper Siles, 2 notes; insolvent; brick mason."

"F. M. Whitaker, 4 or 5 notes; carpenter; lives in town."

"C. M. Williams, laborer, 2 notes; in solvent."

"W. W. Wood, 2 or more notes, brick mason; in solvent."

"F. Massagee, 2 notes; carpenter; in solvent."

"The notes were not filled up when signed. I turned them over to Breese. I received no money on the notes, and signers received no money as I know of."

"I got notes renewed some times by same parties and some times not. About a month before the bank closed I got last of these notes signed. I got Suggs to sign 2 notes in blank, turned them over to Breese, about a week before the bank closed. I got about 2 or 3 months preceding the bank's failure."

"Leonard's notes had the following dates:

April 20, \$100; April 28, \$800; May 7, \$800; June 1, 1897, \$500; June 28, \$500; June 28, \$800; June 1, \$600; June 1, \$1,100; June 12, \$445; March 15, 773."

Witness never paid anything on notes; never expected to pay anything.

"J. W. Dillon was sworn. Had lived in Asheville 15 years. Financial condition bad in 1897; was insolvent."

Signed some notes for Leonard. Witness was handed notes and asked if he signed them. He examined the first 2, and said he did not sign them; that they were in name of J. W. Dillon.

Defendants objected to testimony contradicting Leonard. Objection overruled. Dillon said there were seven notes.

He signed 5. The 2 notes he said were forged were as follows: July 9, \$592; July 1, \$494. The genuine notes were as follows: March 4, \$1,483.29; June 11, \$1,000; March 8, \$1,100; April 7, \$1,100; March 18, \$1,483.28.

"They were not filled up when he signed them. Did not pay anything or

expect to. Never talked with Breese about the matter."

**FILLED OUT BY BREESE.**

G. H. Brown was recalled. The notes were handed him and he was asked in whose handwriting they were filled out in; if in Breese's.

"Yes, the body, all except the signatures and printed parts."

J. B. Andrews was called. Lived in Asheville 3 years. Knew Breese 4 or 5 years. Had signed notes for Leonard. (Handed 2 notes) "Did you sign those?"

"Yes, 2 years ago for C. B. Leonard. One was for \$825, dated Feb. 20, 1897."

Witness said he had always been in solvent.

W. S. Bradley was called. Leonard came to witness and asked him to sign blank notes. He signed several. Probably in May 1897, was insolvent; had been sued and judgment obtained on the notes. Talked with Breese about notes after the bank failed.

M. A. Cressman was called. In 1897 was insolvent; signed blank papers for Leonard in 1897. Got no money; one note was for \$640.40.

L. M. Coon was called, but was not present. \$320.01 was the amount of the note signed by him.

W. F. Elliott was called. Lived in Charlotte in 1897; was in Asheville prospecting; was insolvent; C. B. Leonard approached him; knew him before. Signed 2 notes, blank.

The notes were as follows: March 20, \$990; March 20, \$950.

**BREESE'S NEGRO FARM HAND**

Next witness called was C. S. Kemp, colored, lives in Illinois. In May, 1897 was in Brevard on a farm, working for W. E. Breese. Signed notes at letter's request. Was insolvent. Breese asked if witness would lend his signature for a few days. Witness agreed, if there was nothing wrong; Breese said no harm could come to him; signed several notes. Signed several in St. Augustine, Fla.; blank notes were sent in letter to witness. Letter requested him to sign notes. He did so and remailed them in stamped envelope enclosed in letter. Got 3 blank notes at Brevard by mail; signed and mailed them to Mr. Breese.

Cross examination.

"Were not many of these notes renewed?"

"I don't know whether they were or not."

"Did you inherit or own property in Transylvania?"

"No, sir."

John E. Gaze was called.

"What was your financial condition in 1897?"

"Every Saturday night I got \$18. Was insolvent; signed papers for C. B. Leonard; not filled out. Notes were handed witness and he identified them; \$814 and \$225 were the amounts. Didn't expect to pay them."

J. H. Eaton was sworn. Is plasterer; was insolvent in 1897. Signed 4 papers for Leonard, 2 at a time. Witness identified papers handed him as those he signed."

A. L. Foster was called, but was not present. His notes were for \$710, \$650 and \$621.50.

S. H. Isaac was called, but did not answer.

J. B. Joines took the stand. Signed 2 notes for Leonard in 1897; was insolvent.

Logan Kiser was sworn. Was insolvent in 1897. Signed blank notes for C. B. Leonard in "democratic headquarters on South Main."

D. E. Killian was sworn. Signed 2 blank notes for Leonard.

F. B. Miles was sworn. Signed notes for Leonard; is insolvent.

J. A. C. Whitaker was sworn. In 1897 was in Asheville; signed a note for Leonard.

G. H. Brown was recalled. Was handed the notes made by the insolvents referred to above, and was asked by whose handwriting they were filled out. He went over the whole list, and said some were filled out by Mr. Breese and some by Mr. Penland.

**OPPORTUNITY.**

**FOR THE PEOPLE OF ASHEVILLE.**

I have made up my mind to go to Porto Rico. I will close out my entire stock at 25 per cent. less than cost.

Clothing, gents' furnishing goods, hats and underwear, merchant tailor's cloth and cloth for ladies' tailor made suits, also store pictures. Entire stock must go to

I. W. GLASER,

34 South Main street, Asheville.

**TO CURE A COLD IN ONE DAY.**

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

**BONAFIDE CLOSING OUT SALE.**

Our great closing out sale is nearing its end. Throngs of shrewd buyers avail themselves of the great opportunity of buying first class goods at a mere song.

Anyone interested in the purchase of first class clothing or gents' furnishing should carefully inspect my window and examine my goods. I am going to Porto Rico and all my stock must be closed out at 25 per cent. below cost. I. W. Glaser, 34 South Main street.

**MADE BY ITALY.**

Pekin, March 9.—It is officially denied that Italy has already occupied San Mur bay. The tsung li yamen, in answering a note of the British minister, McDonald, supporting Italy's demand for a lease of that place, refused to discuss the matter, and begged the British minister to dissuade the Italian minister from pursuing his claim.

**TRAINS CRASH TOGETHER.**

**Way Passenger Train Runs Into Rear of Freight With Fatal Results.**

Altoona, Pa., March 9.—A way passenger train crashed into the rear of the west bound freight train a few miles west of here this afternoon. The engineer and fireman of the passenger were instantly killed and their engine was a complete wreck. None of the passengers were injured.

**WOOD'S SEEDS.**

Wood's seeds are peculiarly adapted to the soil and climate of the South. Sold at Grant's pharmacy.

**Do You Want Some Silverware**

**For Less Than It is Worth?**

We have selected out a lot of Silver-plated Ware, including Trays, Flat and Hollow Ware, which we are offering at 80 cents on the dollar. It will pay you to look these things over as they are worth 20 per cent. more than we are now asking for them.

**Arthur M. Field**

**Leading Jeweler,**

Church St. and Patton Ave.

**Asheville, N. C.**

ESTABLISHED 1888.

### THE WINYAH SANITARIUM.

A Special Private Institution for the Treatment of Lung and Throat Diseases.

KARL von RUCK, M. D., Medical Director.

RATES, \$22.50 per week and upward, according to the room selected. Includes everything excepting medicines, which are supplied at cost. A certain number of rooms are reserved at a lower rate for patients whose financial circumstances require it and to such the medicines are also included. Patients can enter and leave at any time. Advanced cases not admitted.

Winyah Hotel and Sanitarium Co.

**Need Potatoes.**

Early Rose,

Peerless.

Burbank's

Field and Garden

Seeds.

All of the best variety at

**Snider's,**

On the Square

**Rum and**

**Quinine**

**Hair Tonic,**

We make it. Make it

like we fill our prescriptions, with the best

material we can buy.

**There is no Better Made,**

**"The Paragon."**

Opp. Post Office.

Phone 260.

Night Bell at Side Door.