

Ashville Daily Gazette.

VOL. V. NO. 59

ASHEVILLE, N. C., WEDNESDAY MORNING, APRIL 17, 1901.

PRICE 5 CENTS
\$4.00 PER YEAR

(If bought at Oestreicher's it is right.)

Oestreicher & Co.,

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We direct attention to several novelties in

WOOL DRESS GOODS

which will be put on sale MONDAY APRIL 15th.

With these new additions we can justly claim the largest and best display of

SUMMER STUFFS

in Asheville. We have priced these goods especially low to make them quick sellers. Prices from 4 cts. to 75 cts. the yard.

NECKWEAR.

We also call especial attention to recent additions to our line of Ladies' Neckwear, consisting of all the latest novelties.

Oestreicher & Co.

51 Patton Avenue.

A Handsome Dwelling

Appears to much better advantage with a handsome lawn in front. The appearance of the lawn can be materially added to by being enclosed with a handsome wire fence, such as we offer in the famous

ELLWOOD FENCE,

ASHEVILLE HARDWARE COMPANY.

Don't Board Any Longer

Let Mrs. L. A. Johnson furnish rooms for you, pay her on installments and save money.

43 Patton Ave.

ROCK! ROCK!! ROCK!!!

We are in control of four stone quarries in city and suburbs. Are prepared for furnishing building stone, step stones, hearth stones, curbing, etc. Also for grading side or yard walks and excavating.

BURGESS & MOORE
Asheville, N. C., Phone 25, Box 223.

WOOD'S SEEDS.

A full line of Wood's Garden Seeds, Lawn Grass, Sweet Peas and Nasturtium Seeds in bulk.

GRANT'S PHARMACY.

HEADACHE.

Sick, Nervous and Neuritic Headache quickly relieved by Baldwin's Headache Cure, 25c.

GRANT'S PHARMACY.

CAPT. CARTER'S STEALINGS

Solicitor General Opposes Application for His Release from Prison.

Says the Division of the "Swag" Was well Attended to by Carter Personally.

PROOF OF HIS SOUND MENTAL CONDITION

INVESTIGATIONS OF THE GOVERNMENT REVEALS A LOSS OF \$2,169,159 BY CARTER'S CRIMINAL OPERATIONS.

Washington, April 16.—Solicitor General Richards today filed with United States Supreme court a brief in opposition to the application for bail filed about 10 days ago in behalf of former Captain Carter, now confined in the United States penitentiary at Fort Leavenworth upon conviction for fraud in connection with the harbor improvements at Savannah. After reviewing the history of the case, the solicitor general says in part:

"The validity of Carter's conviction and his sentence by court martial, which alone could try him for crimes committed as an officer of the United States army, in violation of articles of war, has been sustained by three civil courts and five judges, not counting this court, before which the matter is now pending for the third time.

"Carter now applies for a suspension of sentence of this lawful tribunal, and asks to be released from imprisonment pending the hearing of this second appeal, upon the following grounds: First, because he is suffering from neurasthenia and is on the verge of nervous collapse by reason of mental anguish, owing to his imprisonment; second, because he is innocent of the charges of which he was convicted by court martial, and the only way he can establish his innocence, so he says, is by pressing to trial the charges embraced in the Georgia indictment, which, he asserts, cannot be tried because of his absence from Georgia."

As to the first ground, the solicitor general submits argument tending to show Carter's sound mental condition, and files with the court affidavits of five physicians who examined Carter and affirm that Carter is not now suffering with neurasthenia; that he is not on the verge of nervous collapse; that his nervous condition is not greater than one would expect to find in a healthy person of Carter's standing confined in prison. The affidavits further say that said Carter is now physically and mentally sound.

This affidavit was supplemented by affidavits from the warden and physicians of the prison.

As to the second ground for release on bail, the solicitor general says in part: "Since Carter has dragged into the case the fact that he is under indictment along with Greene and the Gaynors, and has sworn that the criminal case cannot be tried because of his absence from Georgia, and asserts that he wants to be released so he may demand a trial by jury in Georgia and prepared for it, it is proper for me to call the attention of the court to the fact if the criminal case cannot be tried without Carter, neither can it be tried without his conspirators, Greene and the Gaynors. Yet, ever since the indictment was found in December, '99, the government has been strenuously endeavoring to secure the removal of Greene and the Gaynors from New York to Georgia for trial."

Mr. Richards says that the investigations of the government reveal the loss of an aggregate \$2,169,159 through Carter's operations, of which the (Carter) received one-third with traveling expenses added. In view of these facts Mr. Richards asks:

"Is it any wonder that Carter wants to get out on bail. Is it any wonder that he desires to be put in a position where he can personally handle the

sinews of war which he obtained by fraud from the government that educated, and gave him his standing and reputation? What better could the court fix that would be sufficient in this case, if he has sent his securities out of the country and made up his mind that the best thing he could do would be to follow them?"

Describing the methods of Carter's operations, Mr. Richards says:

"The division of the 'swag' was attended to by Carter personally. When the time came to make a payment under the contract Carter, who was located at Savannah, and had charge of the work on behalf of the government, would give to the representatives of Greene and Gaynors locally in charge at Savannah a government check sufficient to pay for the labor and materials which actually went into the improvement, and then he would draw a government check for the excess of the contract price, representing what gamblers would call 'the velvet' the fruit of the fraudulent conspiracy and putting this in his pocket would go to New York.

"There he would meet Greene and the Gaynors. Then the division would take place. Carter would be specially allowed out of the amount \$75 for traveling expenses, and the balance would be divided into thirds, one-third to Carter, one-third to Greene and one third to the Gaynors. In this way Carter drew out of the conspiracy \$722,528.02, and of this amount the records of stock brokers in New York shows that he invested in stocks and bonds, \$690,201.85. For his traveling expenses Carter received \$15,750. He made 21 trips to New York on his mission and at the time was in excellent condition financially to be appointed military attaché at the court of St. James."

FIERCE STORM AND ZERO WEATHER IN WYOMING

Live Stock Losses Enormous—Collision Caused by Blind Ice Snow.

Cheyenne, Wyo., April 16.—One of the worst storms of recent years has been in progress here for the past 18 hours.

Three locomotives were demolished in a freight wreck at Borie, 20 miles west of here, caused by two trains unable to see each other on account of the blinding storm. Traffic was delayed five hours.

The live stock losses from this and former storms are enormous. Reports, which have been lacking up to this time, show that thousands of cattle and sheep have been lost.

The thermometer is now near zero.

COMPULSORY EDUCATION BILL VETOED IN MISSOURI

Jefferson City, Mo., April 16.—Gov. Dockery has vetoed the compulsory educational bill. He declared that the act interfered with the personal rights of parents and savored of paternalism on the part of the state.

TWO

Batavia, N. Y., April 16.—Louis Miller's saloon and bowling alleys on State street burned this morning, and George Lawrence, the bartender, aged 24 years, and Fred Hack, a laborer, aged 51 years, who slept in the building, perished.

LOUIS NAPOLEON WEDS RUSSIAN GRAND DUCHESS

Brussels, April 16.—Petit Bleu says Prince Louis Napoleon has married the Grand Duchess Helen, daughter of the Russian Grand Duke Vladimir.

Prince Louis Napoleon was born in 1864. He is the second son of the late Prince Jerome Napoleon and the younger brother of Prince Victor. The Grand Duchess Helen is the youngest child of Russian Duke Vladimir and was born in 1882.

THE LAUNCHING OF THE BATTLESHIP MAINE

Philadelphia, April 16.—It has practically been decided by the Cramp Shipbuilding company to have the launching of the United States battleship Maine on Memorial day.

Survivors of the original Maine and widows and orphans of sailors killed in Havana harbor will be invited to attend the launching.

GEN. CORBIN TO MARRY.

Washington, April 16.—Mrs. Patton has announced the engagement of her daughter, Miss Edith Patton, to Adjutant General Corbin of the United States army. The news of the engagement is received with deep interest in society here. Miss Patton is a very attractive brunette and has long been an acknowledged leader in Washington's social circles.

LAW'S SPRING CLEARING SALE.

BEGINS MONDAY. A BIG SALE AT ABOUT HALF PRICE. SEE LARGE AD. FOR PARTICULARS ON PAGE 4. J. H. LAW, 35 PATTON AVENUE.

Huyler's Licorice Tablets.

Made of pure Spanish Licorice.

For Coughs and Colds:

HESTON'S

GEN. FUNSTON'S NEW COMMAND

Two Military Districts of Northern Luzon Placed Under His Charge.

Agninaldo's Capture has Influence on Insurgent Bands of the South.

CIVIL GOVERNMENT IS WELL RECEIVED

TAFT COMMISSION RECEIVED ENTHUSIASTICALLY IN CEBU CITY.

Manila, April 16.—The first and second military districts of Northern Luzon have been consolidated and placed under command of General Funston. Similar action has been taken in regard to the fourth and fifth districts of Southern Luzon and General Sumner has been placed in charge. This action has allowed the relief of Generals Grant and Hall respectively and is one of the results of the pacific conditions in these districts. It is expected that further consolidations will be made at an early date.

The Sission band of outlaws made a night attack on Norza Garay, Bultin province, and succeeded in burning a part of the town.

The situation in Cebu is practically unchanged. The capture of Agninaldo has had considerable influence on the insurgent bands in the mountains south. While these bands are numerous and very active none of them is important. The people retain a receptive attitude regarding civil government. Similar conditions prevail in Leyte and Bohol. In Cebu city the people manifested much enthusiasm over the Philippines commission.

RIPLEY CONCLUDES HIS TESTIMONY

Tells of His Movements at the Time of Goebel's Death.

Frankfort, Ky., April 16.—The Ripley trial continued today with the defendant still on the stand under cross examination. He has made an excellent witness from his own standpoint his answers being clear and unhesitating. The Bradley-Yost evidence as to what he declared Gov. Taylor told him the day before Goebel was assassinated it is apparent is the point on which the prosecution is hanging its case.

The testimony of three witnesses on this point has resolved it into a matter of veracity between Governor Bradley and Judge Yost on one side, and the defendant on the other.

The defendant in response to questions, told his movements after the arrival of his company here the morning of January 31. His company was stationed near the executive mansion and penitentiary and had nothing to do with preventing the meeting of the legislature. He was not in the squad which chased the legislature out of the court house and city hall. He with the company which formed and drilled in front of the Capitol hotel, where Goebel was lying wounded. He denied entering the Capitol hotel that night with a pistol in his hand and going to various rooms in the hotel. He was not in the hotel except on the 16th and 29th. Instant. The prosecution asked if he had not said in substance to J. B. Mathews in April, last year, the following:

"Mathews, I am going away soon, and I want to tell you confidentially that I know Caleb Powers is innocent

BRISTOL REPORTED BURNING.

Knoxville, Tenn., April 16.—The business part of Bristol, on the Virginia state line, is reported burning. The Knoxville department has been asked for aid. No particulars are obtainable.

VALIDITY OF DIVORCES.

Washington, April 16.—The Supreme court of the United States has decided a number of cases involving the validity in one state of a divorce decree granted in other states.

The court held practically that in cases in which the husband and wife have made their legal residence it is valid in any part of the United States, but in other cases in which there is no legal residence in the state in which the decree is granted they are invalid.

Smoke Judge Text Cigars, Blomberg's. Blomberg's Selecto Cigs, a good Smoke.

FOR RENT:

One of the handsomest residences in Asheville, completely furnished, all modern conveniences; on car line and paved street, large grounds. Owner would sell furniture at sacrifice price. rent property unfurnished. Furniture is all new. Owing to important business elsewhere owners must make immediate disposition of above property.

Wilkie & LaBarbe,

Real Estate Agents.
23 Patton Ave. Phone 661.

"Every woman is beautiful at some time of her life."

—Victor Hugo.

Every woman is more beautiful in some lights and positions than others. We find the most becoming light and position when we make your portrait. We try to find the most becoming expression (the natural one), but there is where we are dependent upon your help. We have a pencil that will work wonders in straightening irregular features and rounding thin bosoms. Our pictures for 1901 shall be better than ever before.

Brock, Photographeur.

If we do not make your portrait beautiful it will be because it was taken at the wrong time of life."

GERMANY IS IN CONTROL

Supported by the Dribund She is Insisting on a Heavy Penalty for China.

Several of the Powers Press Exorbitant Demands for Indemnity.

RESISTED BY ENGLAND, AMERICA AND JAPAN

POSITION OF RUSSIA IN THESE NEGOTIATIONS AND ARRANGEMENT OF INTERESTS IS UNCERTAIN.

Washington, April 16.—Advices received at the state department leave no doubt that Germany controls the diplomatic situation in Pekin. Representatives of the Dreibund at Pekin are voting together on every proposition and it is now apparent they have the hearty co-operation of the ministers of three smaller nations engaged in the negotiations—Spain, Holland, and Belgium. This combination has been formed for the purpose of enforcing the payment of exorbitant claims. Against this claim combination are arrayed only the United States, England and Japan. The position of Russia is uncertain and France appears to lean toward a German coalition. Russia heads the list in the matter of claims, with eighty-seven millions. America's claim aggregates 25,000,000, England's about 22,000,000. Japan's between the American and the British aggregates. The exact figures of the Austrian, Italian, Spanish and Dutch claims are not obtainable, but are regarded as unreasonable.

Cross-examination was completed at 11:20 and redirect examination developed nothing new in the defendant's testimony.

BEGGING THE CZAR FOR CONSTITUTION

Address to the Throne Receiving Thousands of Signatures.

Vienna, April 16.—The newspapers here are receiving reports according to which the situation in Russia is becoming worse. Wholesale arrests continue throughout the empire. Fifteen hundred persons were arrested in Odessa Sunday. Revolutionary proclamations continue to be distributed in St. Petersburg and other cities. It is proposed to address the czar begging him to grant a constitution. The address has already received fifty thousand signatures.

The full text of Count Tolstol's address to the czar on March 28 has been received. It contains a lengthy program of reforms and the document is couched in plain terms.

PATRICK HELD FOR MURDER OF RICE

New York, April 16.—Justice Jerome today held Albert T. Patrick for the grand jury on a charge of murdering the late Texas millionaire, William Marsh Rice.

Patrick will also have to answer the charge of forging Rice's name to the will and checks.

Great 29c Sale of Hosiery.

And it is new Spring Hosiery at that—Beautiful Novelties

Finest lisle thread lace openwork and hemstitch designs. Elsewhere you will have to pay 50 cents for the same thing.

Monday..... 29c

Each season we sell out every corset we have in stock to enable

Great 60c Sale of Corsets.

Always show the latest and us to see, we have about eight best corsets from last year by high grade. Thompson's season. Warner and R. & G. Glove-Fitting, W. E. ... 50 G. Our price was \$1.00 to \$1.50

Your choice Monday 60c

Great 89c Sale of Alarm Clocks.

Prosperity Alarm clock a fine little 30 hour nickel plated

Clock, 4 1/2 inches high. It can be depended on as a correct time keeper, is better than many high priced clocks. A good thing for little money assured.

Monday..... 69c

G. A Mears,

33 South Main Street

Seeing is Believing.

Your looks as well as your sight can be improved with perfect fitting glasses. You get both when you call on Examination Free

S. L. MCKEE, Scientific Optician.
24 Patton Ave. Opposite P. O.

W. P. Western, Masseuse

Watson & Reagan, real estate office. Court Square. Phone 223.