

# Asheville Daily Gazette.

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ASHEVILLE, N. C., WEDNESDAY MORNING, MARCH 19, 1902

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**The First Day Anniversary Sale**  
of Our  
**Oestreicher & Co.**

Came fully up to our expectations, and these special prices will continue to rule while the merchandise advertised holds out. Some goods advertised on Monday & Tuesday are already closed, but in place of those we will put other very tempting morsels. It will pay you well to look through the store, it is teeming with bargains today (Wednesday) we will put on sale 1000 yards Barker and 1000 Fruit of the Loom Bleached Muslin at 7 1-2c the yd.

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51 PATTON AVENUE

## CUBAN RELIEF SUGGESTIONS

ADOPTED BY THE HOUSE RE-PUBLICANS AT A CONFERENCE LAST NIGHT.

Hepburn's "Annual Speech" In Opposition to Rivers and Harbors Bill.

SPIRITED COLLOQUY STARTED BY BACON

DISCUSSION OF THE BILL TO PROTECT THE PRESIDENT, IN THE SENATE, INVOLVES MASON IN PERSONALITIES AND ACRIMONY.

Washington, March 18.—The president's recommendations for commercial relief for Cuba were endorsed by the house republicans at a conference tonight, after a three hour session and speech making. The proposition of the ways and means committee for 20 per cent reciprocal reduction of duties on Cuban imports, with Congressman Sibley's amendment limiting the period of reduction to December 1, 1903, was adopted by a vote of 85 to 81.

Washington, March 18.—When the house met today, Frank B. Lyon, of Cuba, N. Y., was elected doorkeeper to succeed the late W. J. Glenn. The oath was immediately administered to Mr. Lyon by the speaker.

The house then went into committee of the whole and resumed the consideration of the river and harbor bill. When Mr. Hepburn (Iowa), who has fought rivers and harbors bills ever since he came to congress, arose to speak there was an outburst of applause on both sides of the house.

"I arise to make my annual contribution to river and harbor literature with a miscellaneous assortment of motions," he began. "I recognize," he continued, "the utter futility of saying anything against this bill. I recognized that fact years ago when the pork in the barrel was only \$8,000,000. How manifestly impossible is it to make headway against it now that the appropriations aggregate \$60,000,000. At the same time I find in connection with the presentation of the pending bill something to commend—a rare thing in my experience. We have at the head of the rivers and harbors committee an ideal chairman for the purposes in view—one who, I believe, is striving to secure public rather than private benefits, one looking for the welfare of this great nation and the promotion of its commerce, not the elevation of A. B. O. to seats upon this floor." (Applause.)

Mr. Hepburn commended the committee for taking the "back track" upon wasteful expenditures in certain directions, pointing out the abandonment of further improvements of the Missouri river as a final fulfillment of predictions made eighteen years ago. He said that congress should set a definite limit upon the depth of water sought to be obtained in seaport harbors, thirty feet for instance, and place a limit on naval architecture. Otherwise, he declared there would be no end to the depth of water which would be demanded.

Speaking of the Hennepin canal, Mr. Hepburn admitted that he had voted for it. "But considering the mental penance I have undergone since," said he, "and my infamy and ignorance when I cast the vote, it will not go as hard with me as with a hard-hearted old sinner like my friend from Illinois (Mr. Reeves) if he should attempt to indulge in another such freak of legislation. (Laughter.)

"The canal was projected to get the produce of the farmers of Iowa to the

great lakes," suggested Mr. Reeves. "Quite true," retorted Mr. Hepburn, "but the farmers of that day are dead, while the incompleting canal continues to draw its annual appropriation from the treasury." (Renewed laughter.)

While acquitting the chairman of the committee of looking to anything but the public welfare, Mr. Hepburn said there were gentlemen upon the committee who did not hesitate to "log roll" to secure appropriations for their own schemes. Without desiring to reflect upon the courage of the present speaker, he expressed the hope that the time would come when there would be a speaker with "wonderful courage" who would see to it that the committee was composed of men who had no special interests to be conserved.

Mr. Lawrence (Mass.) and Mr. White (Ky.) spoke in favor of the bill.

In the Senate.

Washington, March 18.—The senate committee on finance today concluded the consideration of the bill repealed the war revenue act and authorized a favorable report on it. The bill is greatly changed in phraseology and it is announced that it will probably not be in shape to be reported before tomorrow.

The bill as it will be reported removes all the taxes of the war revenue act, and the only changes made are those of language, making sure of this result. Among other changes in the language of the bill is one fixing the rate on tobacco at six cents per pound.

Washington, March 18.—Bacon precipitated a spirited colloquy in the senate today during the discussion of the bill to protect the president, by offering an amendment arranging the phraseology of the bill with a view, he declared, to bring the matter within the scope of the constitution. Hawley instantly protested that there was not a solitary word in the constitution needed to give the nation the right to save its life.

Bacon retorted that the object of his amendment was to differentiate between crime against an individual and crime against the government. Mason, Hall and Hear followed, criticizing Bacon's amendment and argument, and indulging in some ironical remarks at the expense of Bacon's personal appearance.

Bacon resented these personalities and further resented the imputation contained in Mason's remarks that he defended anarchists. Mason denied any intention of reflecting upon Bacon's integrity, and said his remark was in criticism of the amendment. He believed the bill as it stood a good one. Without action the senate adjourned.

## INSURGENTS DEFEAT COLOMBIAN FORCES

INSURGENTS POSSESS COUNTRY WEST OF PANAMA—COLON BEING FORTIFIED.

Washington, March 18.—Commander Rogers of the gunboat Marietta cables that the Colombian insurgents have defeated the government forces and are in possession of the country west of Panama. He adds that fighting is expected on the isthmus.

Colon, March 18.—The government gunboat General Pinzon is expected here shortly with troops. The gunboat Padilla has arrived at Tabgo with 300 wounded government and insurgent troops. Breastworks have been erected around Colon.

## TRYING TO INTERCEPT MARCONI'S SYNTONIC SIGNALS

London, March 18.—The Globe's naval correspondent reports that on her recent cruise along the Irish coast the British battleship "Revenge" was fitted with a wireless telegraph apparatus and received a number of private Marconigrams passing between mail steamers and the shore. The correspondent understands that the admiralty proposes to make an attempt to intercept Marconigrams from an experimental station across the Atlantic with the view of determining whether Signor Marconi has perfected his syntonic system.

## MOTION OF CENSURE IN BRITISH PARLIAMENT LOST

London, March 18.—A motion of the liberal leader, Campbell Bannerman, in the house of commons calling for a committee to investigate contracts for purchases in behalf of government forces in South Africa was defeated today by a vote of 346 to 191. The motion was virtually a censure of the government.

## SPANISH STEAMER WRECKED

Norfolk, March 18.—The vessel ashore on Lookout shoals is the Spanish steamer Ea. She was bound from Fernandina to Hamburg. She has gone to pieces. Her crew were saved.

Biltmore Wood, Phone 700, is better.

Biltmore Firewood, Phone 700.

Try Whitman's Chocolate Creams

20c Pound, None Better.

At HESTON'S. Phone 183 26 S. Main.

## COURT'S WORK ALL FOR NAUGHT

ONE JUROR HUNG OUT STEADFASTLY FOR BREESE'S ACQUITTAL.

A Juror Withdrawn and a Mistrial Ordered by Judge Jackson Yesterday.

DICKERSON'S CASE GOES TO CHARLOTTE

THE NEXT TRIAL OF BREESE WILL BE HELD IN ASHEVILLE, AND THIS SPRING, MR. HOLTON THINKS—THE CASE OF PENLAND IS ALSO TO BE TRIED HERE.

The Brees trial is over for this term of court and the jury have gone to their homes.

Yesterday morning after the jury had taken their seats, the foreman was asked if they had agreed upon a verdict. He replied that they had not and in his opinion would not be able to arrive at a decision.

Judge Jackson then directed that the following order be placed upon the record: "The jury in this case having been called into court and having stated that they have not reached a verdict, and upon further interrogation having stated to the court that they are unable to agree upon the verdict, and it further appearing that one of their number is too unwell for further deliberation, therefore a juror is withdrawn, a mistrial ordered, the case continued and the defendant required to give bond in the sum of \$15,000 for his appearance at the next term of court."

In discharging the jury Judge Jackson complimented them on the way they had comported themselves during the trial, assured them that he was satisfied that no effort had been spared to arrive at a verdict and that it was no fault of theirs that they had been unable to do so as every man has a right to his convictions. Mr. Holton then made a motion that the case be transferred to the Federal court at Charlotte.

Judge Jackson said, "I don't think that upon the mere motion of the district attorney the case can be transferred to another court."

Mr. Holton explained that the custom obtained in this district, "That may be the custom but it is not necessarily the law" replied his honor, "and I will not transfer this case except for cause. The case cannot be moved to another court on motion alone, unless agreed to by the counsel on both sides."

Mr. Holton stated that he would file affidavits of cause, later. Judge Jackson said that it had been agreed that the Dickerson case should not be tried at this term of court, remarking, "I shall send the Dickerson and Penland cases to Charlotte."

Mr. Holton then withdrew his motion to have the Brees case transferred to Charlotte.

Senator Pritchard said, "Now Mr. Holton can't we agree on the time for the Dickerson trial?"

After some discussion, Judge Jackson said, "I propose to try the Dickerson case first at Charlotte. I am going from here directly to Charleston where I will see Judge Simonton and consult with him as to the best time to hear the case."

W. W. Jones then addressed the court saying, "I understand that a motion has been made before your honor to transfer the Penland case to Charlotte and I am here to resist that motion."

Judge Jackson replied, "Very well, if you object it won't go except for cause."

Mr. Holton said, "I withdraw my motion for cause. The case cannot be moved to another court on motion alone, unless agreed to by the counsel on both sides."

In national bank cases the defendants are required to appear at each term of court and renew their bonds, so that while the case of Dickerson will be called in the next term of the Federal court at Charlotte, which will begin on the second Tuesday in June, it may not be tried at that term. Mr. Holton will, however, appeal to Judge Simonton to have it disposed of at that time. Judge Simonton also has the power of appointing the judge who shall sit at that term.

The Brees and Penland cases come

up at the next sitting of the Federal court in this city, which is on the first Tuesday in May with Judge Boyd on the bench. It is not known just what disposition will be made of these cases at that time for they will not be tried before Judge Boyd but by some other Federal judge appointed by Judge Simonton. "Brees will be tried again—this spring," Mr. Holton said emphatically last evening. "The case of Penland is still on the docket, but I do not care to have him tried until Brees's case is disposed of."

Members of the jury, after it had been discharged, talked freely in regard to their proceedings. The first ballot taken soon after reaching the jury room Saturday afternoon showed nine for conviction and three for acquittal. The second vote, taken when the jury had been out half an hour, was 11 for conviction and one for acquittal, and that has been the situation all through their days of deliberation.

The man who stood out from beginning to end for acquittal and who hung the jury is S. S. Hooper, ex-sheriff of Graham county. It was stated that Mr. Hooper was troubled from the start with grave doubts as to the defendant's intent in the matter and all the arguments of the other eleven men failed to brush these doubts away.

It was also said that on Monday Hooper was willing to join in a verdict of guilty of misapplication but not of embezzlement or abstraction, and that the other jurors would not agree to this. Had they done so this verdict would have amounted to practically the same thing as if they had found for the other two courts.

Mr. Hooper, in speaking of the jury's standing on the case to a gentleman yesterday afternoon, stated that this was the fifth jury he had served on and hung by his vote for acquittal and (Continued on fourth page.)

## WILCOX CASE WILL GO TO JURY TODAY

TAKING OF TESTIMONY CONCLUDED—AND ARGUMENT BEGUN YESTERDAY.

Elizabeth City, March 18.—The evidence in the Wilcox trial was concluded today and argument was begun this afternoon. The state contended that the girl was knocked unconscious by a blow from Wilcox and thrown into the river; that if she had not been done in water three feet deep and that Wilcox had a motive in that the girl killed him and had ridiculed him to others, arousing his anger and stirring his revengeful disposition.

The defense claimed that the state had not shown how the girl was killed and the doctors had failed to sustain the contention that she was killed by a blow. The case will go to the jury tomorrow.

## Easter Time approaches

Easter has come to be a season of gift making, and nothing is so acceptable as a piece of

## Handsome Jewelry

Table Silver, or Cut Glass. Visitors in the city and residents are invited to inspect our stock. You will be satisfied with the quality of goods and price.

Arthur M. Field Company  
Leading Jewelers

Cor. Patton Ave. and Church St.

## A GREAT FIRE IN HOBOKEN

STEAMSHIP AND PIER BURNED—A TOTAL LOSS OF \$1,000,000.

No Lives Known to Have Been Lost, But Two Men Are Missing.

BURNING OIL BARGES MADE A GLORIOUS SPECTACLE

BURNING BARGES AND LIGHTERS OIL AND ALCOHOL LADEN, FLOATED DOWN STREAM—FIRE OCCURRED AT PHOENIX LINE'S PIER.

New York, March 18.—Hoboken had a great waterfront fire tonight. A steamship pier leased by the Phoenix line was burned. The steamship British Queen of that line was burned practically to the waters edge. A pier of the Barber steamship line was slightly damaged.

A number of burning oil and alcohol laden barges and lighters floated out into the stream from the burning piers and drifted down the North river with the tide, making a glorious sight spectacle. It is believed there was little (Continued on fourth page.)



Millinery OPENING! Continued TO-DAY

Visitors welcomed and the great display shown gladly and freely to all who wish to take advantage of this opportunity.

The rush was large yesterday, many waiting, but all at last were shown through.

Brains and capital both behind this department and each separate department in this big store is why the same S spells

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Price \$1.25.

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## Go Carts

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Biltmore Wood, Phone 700, is better.

## An Eye Point

There are many points about the eye that are important no matter how trivial they may seem. Have them attended to at once. We grind lenses to suit each individual case.

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