

Asheville Daily Gazette.

VOL. VII NO. 245

ASHEVILLE, N. C., SATURDAY MORNING, NOVEMBER 22, 1902.

FIVE CENTS PER COPY.
FOUR DOLLARS A YEAR.

Have You Seen

THE SHOW WINDOWS

At Sumner's?

Showing the Bargains of
Special Sale now on

Ladies' Walking Hats
of Felt and Camel's
Hair, Only 50c.

Misses' and Children's Fine
Wool and Felt Tams, Caps,

At 39c each.

Look at the Embroidery
for the Special Sale next
week.

SUMNER'S

THE LEADING STORE

You Need Never Ask Us

If a thing is "the best." The
fact that we sell it answers that
question. Physicians generally
know this, and for that reason
our prescription business is
large.

Pfaffin's Drug Store
Patton Avenue and Church
Street.

If we have it, it is the Best.

FOR

Shot Guns

LOADED
SHELLS
AND OTHER

Huntsman's
Supplies

Just drop in at the
**Asheville Hardware
Company**
On the Square Phone 87
Asheville

Ulsters At Cost

Men's and Boy's Ulsters
from \$5 to \$25 to be sold at
cost.

Don't fail to look at these
if you want a bargain in an
overcoat.

WHITLOCK'S

41 Patton Avenue.

Just Received

A car load of Flower Pots, and owing
to delay in shipment from factory will
sell at greatly reduced prices. If in-
terested call at once as they are bound
to go. The I X L Department Store, 22
Patton Avenue. Phone 107.

STRIKE MAY BE SETTLED BY MUTUAL AGREEMENT

Negotiation, in Progress Since Tuesday, Have Goneso Far
That a Brief Session of the Arbitration Commission To-
day May Be Its Last—It is Believed to Be 15 per Cent
Advance and Nine Hour Day.

Scranton, Pa., Nov. 21.—It was
learned this afternoon that efforts are
being made, or will be made, to settle
the differences existing between the
mine workers and the operators out-
side of the commission appointed by
the president, and it is said a con-
templated adjournment will be taken in
order to give both sides a chance to get
together. Judge Gray's remarks at to-
day's session suggested this conclu-
sion. None of the attorneys on either
side will say anything regarding the
matter, but it is understood here that
in the interval such an effort will be
made.

In the remarks referred to above,
Judge Gray said:
"According to the suggestion made by
counsel that an interval of time be al-
lowed for the preparation of the docu-
mentary evidence, and for a possible
agreement to certain facts and figures,
which would forward the work of this
commission, the commission hopes that
an effort will be made by the parties
to come to an agreement, on nearly all,
if not all, the matters now in contro-
versy, and that they will adopt the
suggestion heretofore made by the
commission to counsel on both sides
that we aid them in such an effort by
our conciliatory offices. It seems to us
that many of the conditions com-
plained of and which have been the
subject and study of our examination
might be better remedied by the parties
to the controversy approaching the
subject in a proper spirit and with the
prospect of fairly adjusting them.
We hope, gentlemen, that the interval
of time to be granted may be availed
of with this end in view. Of course,
in the meantime we shall proceed with
the work before us as we have begun
it."

Everett Warren, attorney for the
Erie Railroad company, coincided with
the views of the commission, and the
attorneys for the operators' side sug-
gested an adjournment of a week or 10
days. It was decided by the commis-
sion to adjourn until tomorrow morn-
ing to give the commission an oppor-
tunity to consider the amount of time
they consider necessary to permit of

At \$4 per dozen. Heavy
Cut Glass Tumblers. See
them at once.

J. H. Law, 35 Patton Ave.



You Can't Fit Your Eyes with a Tape Measure

Come to us, we will give them a
scientific examination, and grind the
lenses to fit each eye correctly. Satis-
faction guaranteed.

McKee, The Optician
Opposite Postoffice. 54 Patton Ave.

Biltmore Firewood. Phone 700. tf.

YOU

Can buy one with Reser-
voir for \$28.00; or one with-
out Reservoir for \$27.00.

We have sold 45 since advertising
our car load. The people say there is
nothing that will compare with them.
We are talking about.

"Boyce's Perfect Steel Ranges."

W. A. Boyce

11 South Court Square.

For Sale Or Exchange.

A beautiful modern country home
near Bingham school. House 9 rooms,
10 acres of land in high state of cul-
tivation. Will sell or exchange for city
property. We are offering splendid
value in two business properties on
Patton Avenue and Main Street. These
are all choice values.

Nait Atkinson & Sons Co.,
Real Estate Dealers.

the preparation of documentary evi-
dence they desire. An adjournment,
therefore, was taken until tomorrow.
Effort to settle the strike is being
made in New York, Philadelphia and
this city. Matters have already pro-
gressed so far that it is likely a brief
session of the commission tomorrow
will be the last. It transpires that
overtures for settlement have been in
progress since Tuesday.

There are all sorts of rumors as to
the basis of settlement. Last night
there was a midnight meeting of coun-
sel for both sides at the Hotel Jermyn.
This meeting had been preceded by a
hurried trip to New York and back
by Wayne McVeagh. He brought
back information as to what the com-
panies he represented would agree to
do. At this meeting it became evident
that a settlement could probably be
reached outside the commission, but it
is stated that no real offer was made.
One authority said tonight the oper-
ators suggested as the basis of settle-
ment a 15 per cent. advance and a
nine hour day.

A conference between Mitchell and
his principal lawyers was held to-
night at the Hotel Jermyn. At the
adjournment no statement was made.
There are stories in circulation that
a meeting for final settlement of the
strike negotiations will be held in New
York.

Mitchell, when seen tonight, would
not talk. It is the general impression
that a settlement will be effected upon
the basis of a ten per cent. advance
and a nine hour day.

JENKINS CASE NEARING THE END

Yesterday morning "Gus Jenkins"
again took the stand and was subjected
to a rigid cross-examination by Soli-
citor Gudger.

The solicitor endeavored to shake the
force of the prisoner's testimony and
thus prove the impossibility of the alibi
which the defense have endeavored to
establish. The defendant stated that
he was in Charlotte at the time the
assault on Mrs. Spivey was committed.
He stated that he visited his aunt Jane
Burton, while in Charlotte, and the de-
fense afterwards put her upon the stand
to corroborate his testimony. She
swore that she had seen the defendant
in Charlotte but could not give the
exact date. Witness stated that he
was aware that it is necessary for him
to show his whereabouts in order to
establish an alibi. The prisoner stood
his cross-examination well.

Train Despatcher Mimms testified as
to the arrival and departure of trains
at this point on the 27th of September.

At 11 o'clock the defense rested its
case and the solicitor resumed testi-
mony for the state. The character of
Mrs. Spivey was proved to be good.
R. S. McCall made the opening
speech for the defense. He argued at
length the insufficiency of Mrs. Spivey's
testimony. He did not believe that the
testimony of one frightened woman
should be taken as evidence against
the sworn statements of the prisoner,
and the number of witnesses who swore
that Jenkins was in Lincoln on the
date of the crime that he
could not possibly have been in Ashe-
ville at the time in question. He en-
tered into a detailed explanation of the
theory of the defense as to the alibi.

The afternoon session was opened by
the argument of H. C. Chedester for
the defense. He began by attacking
the testimony of Mrs. Spivey. He
pointed out the fact that Mrs. Spivey's
identification was very uncertain at
first; that when questioned by Sheriff
Lee at the jail she had answered, "He
looks like the man," when questioned
before a magistrate she had answered,
"I think he is the man," but when
questioned at this trial she replied, "I
know he is the man." He also alleged
that Mrs. Spivey's description of her
assailant did not tally with the appear-
ance of Jenkins. He then entered into
an explanation of the alibi which the
defense claims to have made. "The

Chocolate Marshmallows, 10c for half
pound at Northern's Souvenir store.

For the next ten days 25 per cent. off
on all cheap and fine Pipes at Blom-
berg's cigar store. Patton Avenue.

Biltmore Firewood. Phone 700. tf.

Fruit Cakes

For Thanksgiving. We have
several hundred pounds just as
good as they can be made in
any quantity at

At Heston's

26 S. Main St.

testimony of Jenkins is perfectly
straight and consistent," said he, "and
it is corroborated by any number of
witnesses."
Frank Carter then opened the closing
argument for the defense. He began,
as Mr. Chedester did, by making an
onslaught against Mrs. Spivey's testi-
mony. He cited a number of in-
stances of identifying not only a
stranger, but a friend. "How much
more difficult is it then for a white
woman to identify a strange negro,
Mrs. Spivey is a simple country woman,
and admits that she has never seen
very many negroes. Yet she attempts
to swear to this jury that she knows
this defendant is her assailant," said
he. He stated that he knew that Mrs.
Spivey did not intend to perjure herself
when she swore that Jenkins is her as-
sailant, but that when she stated that
she committed a crime second only to
perjury.

Mr. Carter then entered into an ex-
planation of the conduct of Jenkins in
not revealing his identity. He ex-
plained that when Jenkins was a youth
he was sent to the penitentiary for a
short term for larceny and broke jail.
The speaker quoted it as evidence of
Jenkins' innocence that for fear of be-
ing sent back to the penitentiary he re-
fused to disclose his identity until his
counsel represented to him that unless
he did he would have little chance of
escape from the gallows. He then dwelt
upon the evidence showing that Jenkins
was at his home in Rutherfordton on
the Sunday of the crime. He stated that
the great majority of the witnesses
agreed in all important particulars.
"The only way the state can get around
this is to try to tell you that the wit-
nesses are referring to some subsequent
Sunday," said he. He then traced the
defendant's movements until the time
of his arrest, showing that, according
to his theory, he was not at Lincoln on
any subsequent Sunday.

In closing Mr. Carter impressed upon
the jury the importance of the case,
cautioning them not to be swayed by
prejudice but to give a verdict as they
thought proper.

Mr. Gudger's argument will be made
this morning.

FEDERATION OF LABOR

New Orleans, Nov. 21.—The applica-
tion of the United Brotherhood of Car-
penters and Joiners for the revocation
of the charter of the Amalgamated
association of Wood Workers was the
first thing called up in the labor con-
vention this morning.

Wednesday night this matter was
laid over to see if the two organiza-
tions could not agree to amalgamate.
President Kidd, of the Wood Work-
ers, announced that unless the carpen-
ters would withdraw their men from a
certain shop in Philadelphia, where
the Wood Workers had gone on strike,
and the carpenters had taken their
places, the matter must be fought out
on the floor of the convention. A long
debate was about to open when Treas-
urer Lennon, who had the chair, de-
clared that but one speaker on each
side would be allowed to address the
convention on the subject. Delegate
Kidd, of the Wood Workers, appealed
from the decision of the chair, the ap-
peal was successful and the debate,
which gave every indication of being a
long one was soon in full sway.

Delegate Harkins finally moved the
previous question. The vote was taken
on the substitute offered on Wednes-
day by Delegate Wilson that the dis-
pute between the organizations be re-
ferred to a commission of five from
each organization and an umpire to be
mutually selected, the commission to
meet within sixty days. The proposi-
tion of Mr. Wilson was adopted.

Upon motion of Delegate Agard the
election of officers was made by special
order for Saturday morning at 10
o'clock.

Another discussion was taken up in
the dispute between the Amalgamated
Association of Wood Workers. The
executive council recommended that
the piano workers transfer certain ma-
chine workers to the Wood Workers
within sixty days in accordance with
a previous agreement, or forfeit their
charter.

"NO GOVERNMENT" THE SPANISH DEPUTIES CRY

Madrid, Nov. 21.—The uproar in the
chamber of deputies yesterday, which
was caused by the attack of Senor
Romero Robledo, on Premier Sagasta,
continued throughout the evening and
the premier withdrew from the cham-
ber. The president of the house closed
the sitting amid protests from the

Houses For Rent.

A choice list of furnished and un-
furnished houses in various sections of
the city. Modern conveniences. We
will be glad to give interested par-
ties full information and show houses,
upon application at our office.

Wilkie & LaBarbe

Real Estate and Renting Agents,
Real Estate Agents, No. 23 Patton Ave.

members of the opposition and cries of
"there is no government."
The trouble grew out of a speech by
Premier Sagasta in which he expressed
surprise at the interpretation which
had been given to the recent ministerial
crisis. Senor Romero Robledo reproach-
ed the premier with his political an-
tecedents. He declared that Senor Sa-
gasta was not the leader of a party but
the favorite of the king, a statement
which occasioned an angry debate.

SERIOUS SITUATION AT GUATEMALA

Washington, Nov. 21.—A cablegram
received from American Consul Gen-
eral McNally at Guatemala City by
the state department today informed
the department that there is great ex-
citement in that city over the killing
by W. Godfrey Hunter, Jr., of Wil-
liam Fitzgerald of Grand Rapids,
Mich. Fitzgerald was shot four times.
The telegram indicated that Secretary
Bailey of the legation was implicated
in the affair.

McNally stated that both men had
taken refuge in the legation, and Min-
ister Hunter refused to surrender his
son, claiming he was immune from
arrest. When McNally sent the dis-
patch great excitement prevailed
around the legation. State department
officials are very reticent, but from
what could be learned it is believed
the situation is very serious. It was
evidently feared that some radical ac-
tion would be taken by the Guate-
malans which might cause trouble be-
tween the countries.

Young Hunter was a copyist in the
legation, and this adds to the complica-
tions, as he is virtually in the diplo-
matic service of the United States. A
statement of the case was submitted
to Mr. Roosevelt. The state depart-
ment officials decided not to take any
action until a formal demand is made
for Hunter's surrender.

It is believed by officials here that
Minister Hunter will in the meantime
be able to frustrate attempts to take
his son and Secretary Bailey by force.

Grand Rapids, Nov. 21.—Fitzgerald,
who was killed by Hunter in Guate-
mal, was the son of William Fitzger-
ald, district superintendent of the
Michigan car service of this city. He
was at one time United States consul in
Guatemala.

Washington, Nov. 21.—The shooting
of Fitzgerald is the culmination of a
series of troubles that have marked the
career of the Hunters in Central Amer-
ica. The resignation of Minister Hun-
ter was recently accepted and his suc-
cessor appointed. It was charged re-
cently that one of the minister's sons
became involved in a scandal with the
wife of an American railroad man.
There was an additional allegation that
the wife of the American committed
suicide because of stories of the un-
faithfulness of her husband told here
by one of the Hunter boys.

POWDER MILL EXPLODES

Shenandoah, Nov. 21.—One of the
mills of the Shenandoah Powder com-
pany blew up this afternoon. Four
employees were seriously injured. They
were working near the mill when the
explosion occurred.

POPE SAYS HIS TIME HAS NOT COME

Rome, Nov. 21.—At a reception of 500
Piedmontese pilgrims today the pope
jocularly referred to the unfounded
rumors yesterday of his indisposition,
adding:

"My time has not yet come. We have
many things to accomplish before
death."

Everyone
Who Appreciates
Punctuality
Should take advantage of our
CUT RATE SALE
OF WATCHES

Waltham, 18 Size
Cash Price

Vanguard, 21 jewels... \$25.00
Crescent St., 21 jewels... 20.00
A. T. & Co., Premier, 18
jewels... 18.50
16 size Riverside, 17 jewels... 20.50

Elgin, 18 Size

Veritas, 21 jewels... 25.00
B. W. Raymond, 19 jewels... 20.00

In Finest Adjusted
Watches

Bunn Special, 21 jewels... 28.50
940 Hamilton, 21 jewels... 28.00

Arthur M. Field Company

Leading Jewelers
Cor. Church St. and Patton Ave.
Asheville, N. C.

DICKERSON AND PENLAND CASES

WILL BE CONTINUED— SOME
DAMAGING TESTIMONY JA-
GAINST MAJOR BREESE.

Special to the Gazette.

Charlotte, Nov. 21.—At today's ses-
sion of the Federal court George M.
Coffin, acting comptroller of the cur-
rency at the time of the alleged de-
falcation in Asheville, now vice pres-
ident of the Phoenix National bank of
New York, was the most important
witness. He testified to various checks,
notes and drafts as being worthless
and that he found these papers in the
assets of the Asheville bank. Mr.
Coffin gave some damaging testimony
against Breesse, the most sensational
being a confession Breesse made to him
that in substance meant that Breesse
had told him of his taking one hun-
dred and fourteen thousand dollars
from the bank and giving notes that
afterwards proved worthless. Coffin
was on the stand for nearly four hours,
and the defense was unable to shake
his testimony in the least.

J. Frank Aldrich of Buffalo, who
was appointed receiver for the bank,
was another important witness. He
stated that he had only been able to
realize about \$8,000 on what was con-
sidered the solvent credits of the in-
stitution. It is Mr. Aldrich's opinion
that this amount is the maximum
that can be possibly collected. W. H.
Westall, R. C. Garrett, J. D. Church,
W. F. Snyder and Rev. Thomas Law-
rence were the other witnesses that
were examined at today's sitting of
the court. All of these testified to
certain checks and notes that were
given in payment for debts contracted
by Breesse.

It was decided today by all con-
cerned that the Breesse case alone will
be tried at this term. As to the cases
against Breesse and Dickerson jointly,
and Penland, these will be continued
and will probably be heard at a special
term of the court that will be called to
meet in Charlotte some time in Janu-
ary next. Judge McDowell states that
the present term will continue prob-
ably until tomorrow week. There will
be no more night sessions of the court,
as the lawyers say it is too ugly.

PEACE ON THE ISTHMUS

Colon, Nov. 21.—Governor Salazar
and General Herrera, the rebel leader,
held a conference today aboard the
American battleship Wisconsin. The
conference resulted in a treaty being
signed ending hostilities on the isth-
mus.

We Can Rent You

An attractive boarding house of 12 bed
rooms completely furnished in the
handsome suburb of Victoria. This
house has always been successfully
conducted and is a very desirable
place. Let us give you fuller particu-
lars at our office.

H. F. Grant & Son,

REAL ESTATE AGENTS,
48 Patton Avenue.

PETRIE The Tailor Phone 347.

Come and inspect my line of
Imported and Domestic Suitings
before buying elsewhere. Gentle-
men's Riding Breeches and
Livery a Specialty.

For Sale or Rent

Large boarding house unfur-
nished, "The Breckenridge" No. 11
Starnes Avenue, \$50.00 per
month, recently painted, good
location.
For sale: Beautiful suburban
house, with 60 acres of land.
Water and sewerage.

Aston, Rawls & Co

18 1/2 South Main Street.

Lily Bulbs

Chinese, Calla and Easter Lily Bulbs,
10c.

LETTUCE.
Fresh lettuce seed for sowing in hot-
bed or cold frame. Sold in bulk.

Grant's Pharmacy

Grant's No. 24 cures cold, 25c.