

# Asheville Daily Gazette

FORECAST:  
Rain.

VOL. VII NO. 270

ASHEVILLE, N. C., SUNDAY MORNING, DECEMBER 21, 1902.

12 PAGES.

## Fancy Lamps

Just arrived.

Biggest sales on record in Cloak, China and Holiday Goods Departments.

5, 10, and 25c tables down stairs full of goods worth double.

Handsome Music Rolls 75c and 98c.

Store open until 10 p. m. during holidays.

Sumner's

## Leather Goods AT COST

We are selling our entire line of leather goods at cost. Pocket Books, Card Cases, Purses, Cigar Cases. Now is the time to make your Christmas selections.

Pfafflin's Drug Store,  
Patton Ave. and Church St.

## Our Up-to-Date Hardware Store

Contains hundreds of articles entirely suitable for

## Gift Service

In the way of Andirons, Carvers, Coal Vases, Fire Sets, Knives, Forks, Spoons, Razors and Scissors.  
Come and see them.

Asheville Hardware Co.

On the Square  
Phone 87 Asheville

See Large Advertisement On 3rd Page

Is of interest to every one.

Whitlock's

41 Patton Avenue.

## PRESIDENT IS ASKED TO ACT AS ARBITRATOR

While He Prefers the Hague Tribunal Roosevelt Will Not Refuse.

## BLOCKADE OF PORTS BEGAN YESTERDAY

Washington, Dec. 20.—President Roosevelt has proposed to allied powers that the Venezuelan dispute be submitted for arbitration to The Hague Tribunal. The powers have replied with a counter proposal that President Roosevelt himself arbitrate the issues.

Berlin, Dec. 20.—Semi-official statement made today says: "The invitation to President Roosevelt to act as arbitrator was made after a thorough consultation between Germany and Great Britain. An understanding has been reached by the two powers on the reservations attached to the offer and the German note will agree with the English note on all essential points."

London, Dec. 20.—The official procla-

## NEW LAMPS (DELAYED)

Placed on sale to-day for the first time.....

## SPECIAL PRICES

J. H. LAW,  
35 Patton Ave.

## The Opera Season

Is right here with the season of gifts. Why not give a pair

## Opera Glasses

To mother, wife, sister or sweetheart? We have a nice lot of them at \$1.50 to \$20.00.

McKee The... Optician  
54 Patton Avenue

## GENTLEMEN

Sometimes take a practical view of things and give their wives Christmas presents of value. Boyce's Perfect Steel Ranges are leaders in this line. We also have Coal Vases, Fire Sets, Andirons, etc., all very acceptable at this season.

## 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 cultivation. 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.

Naff Atkinson & Sons Co.,  
Real Estate Dealers.

## Just Received

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

mation of the blockade of Venezuelan ports was gazetted this morning and becomes effective today.

Caracas, Dec. 20.—News of the practical acceptance by England and Germany of the proposal of Castro through the United States to refer the matters in dispute to arbitration reached here at noon today. No details are given and the absence of definite information leaves the Government in the dark as to what is actually going on and what is the next step to be taken. Castro's advisers cannot see the question clearly as yet.

Berlin, Dec. 20.—The German government today published a decree embodying the condition of the blockade of Germany's portion of the Venezuelan coast.

Sailing vessels from distant ports are allowed from twenty to forty days and steamers from ten to twenty days to reach their destination.

"Shipments under other than the Venezuelan flag laying in blockaded ports upon the publication of this decree are allowed fifteen days to sail."

"Ships which attempt to break the blockade will be subject to the provisions which apply to neutrals."

Washington, Dec. 20.—Secretary Hay sent a cablegram to Minister Bowen today directing him to inform the Venezuelan government of the desire of England and Germany that President Roosevelt act as arbitrator of the Venezuelan question. The president's reply to the allies to the proposition that he act as arbitrator has probably been already telegraphed by the state department. From an authoritative source it is learned that the president is very desirous that the Venezuelan dispute be referred to the Hague tribunal, but if the powers are unwilling to accept any other arbitrator, the president feels he will be obliged to consent. The president and Secretary Hay hold that Roosevelt could, with perfect propriety, become sole arbitrator. There are plenty of precedents for his acceptance. Cleveland in 1894 served as sole arbitrator of the dispute between Italy and Colombia over the Cerruti claim. There are several other instances. The president in accepting the functions of arbitrator will not commit the United States to either physical or moral obligation to compel the country against which his decision is rendered to observe the terms of the award. In fact, it is maintained that the president would be acting merely in his personal capacity.

## MR. MOODY SERVES NOTICE ON MR. GUDGER

That the Election of the Latter Will Be Contested

Notice of the contest for the seat in congress from this district brought by James M. Moody was formally given J. M. Gudger, jr., yesterday. Major Moody coming to Asheville for the purpose. The grounds of this contest are alleged election frauds, such as those at Tryon. It is alleged, and Major Moody says he has evidence that will prove this beyond a doubt, that registrars in certain cases refused to register qualified republican voters, and in other cases allowed democrats to vote who were unqualified by reason of their not having complied with election laws in regard to residence in the state or precinct in which they voted.

T. L. Green of Waynesville, private secretary to Major Moody, and Thomas Settle, one of his counsel in this case, have been busy here collecting evidence and preparing this notice. Indeed, Mr. Settle has been all over the state for that purpose.

Colonel Lusk and Thomas Settle are leading counsel for Major Moody, and William T. Morgan and J. L. C. Byrd have been retained as local counsel. Mr. Gudger is given 30 days in which to reply and after that time is granted for the taking of evidence. The contest is first brought before the election committee of the house, where it is argued by counsel. The contestants then have the privilege, by courtesy, of arguing the matter on the floor of congress if they so desire.

An old bachelor says there is nothing dearer to a man than a good wife—or at least more expensive.

A BARGAIN. The manufacturers of the celebrated White Knight Cigars have placed on sale at my store, 200 boxes of their high grade cigars to be sold at 85 cents per box. A box of these excellent cigars will be a very acceptable present on Christmas day. This supply will not last long, so buy today. J. B. Wells, Tobacconist, 14 Patton Avenue. Mail orders 90 cents per box.

N. B.—These cigars are put up in a special box for the Christmas trade. 3t

Biltmore Firewood. Phone 700. tr

## Huyler's Candy

Best in the world. Entirely fresh, received today, in 1, 2, 3 and 5 lb boxes at

HESTON'S  
Phone 188. 26 S. Main.

## CONGRESS HAS ADJOURNED FOR THE HOLIDAYS

Speaker Has Signed Pension, Deficiency and the Strike Commission Bills.

## WILL RECONVENE ON JANUARY 5

Washington, Dec. 20.—Both houses of congress adjourned today to January 5. Attendance in the house was small. There was no attempt to transact any business beyond the ratification of the report of the conferees on the coal strike commission bill. Before the house adjourned the speaker announced that he had signed the general pension appropriation bill, the urgent deficiency appropriation bill and the coal strike commission bill.

In the senate a number of bills were reported and introduced and several unimportant bills passed. Mr. Gallinger called up the bill for the retirement of Naval Constructor Hobson. Mr. Morgan spoke at some length on the Nicaraguan canal bill.

## THE BRIGGS CASE IS FINALLY DISPOSED OF

Yesterday the prosecution dismissed the case against Mrs. Henderson and Miss Katie Briggs, who were arrested in connection with the abandonment of the child found near Deake's greenhouse. The authorities of the Children's home were much more anxious to protect the child than to prosecute the mother. It was shown that the women were not at all desirous of injuring the child and took every precaution not to do so. One of the attorneys said she had shown that she provided that some one should watch the child and see that it was found. In case it was not, the person agreed to see that it did not suffer until some one did take it.

"This was one of the most pitiable cases that I ever saw," said he. "The people are of good family and were anxious to save the girl, but wished no harm to the baby. As soon as this was shown no charge could be brought against them, for the law cannot reach a case like this unless it can be shown that some harm is intended against the child. The people paid all expenses." He says that Miss Katie Briggs is from South Carolina, but that Mrs. Henderson is a resident of Hendersonville. The charge of shoplifting in Redwood's store to the amount of \$24.80 was either dismissed or compromised.

The Miss Briggs arrested at the Swannanoa is said to be a cousin instead of a sister to Katie Briggs.

## A SON BORN TO PRINCESS OF WALES

London, Dec. 20.—The princess of Wales gave birth to a son this evening. Mother and son are doing well.

## NOT ERROR TO LEAVE NEGLIGENCE ISSUE TO THE JURY

Special to the Gazette. Raleigh, Dec. 20.—The Supreme court today handed down a decision affirming the judgment of the Superior court of Davidson county, wherein judgment for \$1,000 was recovered against the proprietors of a factory for injuries to a boy nine years old while working on a machine. The court held it was not an error to leave the question of negligence. After giving a long list of states and foreign nations in which the age limit is fixed for working in factories, the court says: "With this consensus of opinion in nearly the entire civilized world, it might be that it would not have been an error if the judge had held that it was negligence per se to put a child of the tender age of nine years to work on a dangerous machine, which he had never seen before, without any instructions or warning, and to leave him there by himself without stopping the machine. But, however that may be, it certainly was not error to leave the question of negligence to the jury with the charge given in connection therewith, which was very favorable to the defendant."

## Choice Lots

On Charlotte Street For Sale.

Opposite the Manor and Albemarle Park property. The owner has heretofore refused to sell these desirable lots, but we can now name a very reasonable price, either as a whole or divided into four lots. Total frontage 252 feet; depth 194 feet.

Wilkie & LaBarbe  
SOLE AGENTS.  
No. 23 Patton Avenue. Phone 661.

In a list of six pardons and three commutations of sentence announced at the governor's office today are one each concerning convicts from Mitchell and Cherokee and two from Swain. Dock Hughes of Mitchell, convicted at the fall term, 1899, of manslaughter and sentenced to seven years, is pardoned because he has pulmonary consumption and is in the last stages of chronic diarrhoea; Arthur McDowell of Cherokee, convicted at the spring term, 1898, of highway robbery and sentenced to 10 years, sentence commuted to January 1, 1903, action taken because of the youth of the prisoner and upon the recommendation of the judge and citizens of the county; John Sweeney of Swain, convicted at the spring term, 1901, of burglary in the second degree and sentenced to five years on the county roads, sentence commuted to January 1, 1903, action taken at request of citizens and on account of the prisoner's youthfulness and also for the reason that the prisoner was permanently injured by a premature explosion of dynamite while working on the roads; Ramsey Jackson of Swain, same crime and sentence and same action and same reasons for clemency as in the case of Sweeney.

## TRAIN 36 IN COLLISION

Ran Into a Freight Train Standing on Track at Jefferson City.

Vestibule train 36 from Knoxville had a narrow escape from disaster yesterday morning. At 3:30 o'clock it crashed into the rear of a freight train standing on the main track at Jefferson City. The engine tore open the rear of the caboose on the freight and the explosion of a lamp, either the headlight of the engine or a lamp in the car, set fire to the car. The flames were soon extinguished. The engineer on 36 saw the lights on the freight train in time to put on brakes, and the speed of the train when the collision occurred was probably not more than 10 or 12 miles an hour.

J. M. Lorick of this city was on train 36. He states that the passengers were much shaken up and some of them bruised by being thrown from their seats when the crash came. Baggage was thrown about the cars, the water coolers dislodged and some glass broken.

It is stated that a flagman was sent back to warn the passenger train, but that he was not seen by the engineer on 36. The train, which is due in Asheville at 6 a. m., did not arrive until noon.

## INCREASE DEMANDED BY 150,000 RAILROAD MEN

Chicago, Dec. 20.—Demands for a 20 per cent. increase in the wages of passenger and freight conductors and brakemen were presented today to the officials of 40 railroads running west of Chicago. The proposed increase affects 150,000 employees, members of the Brotherhood of Railway Trainmen and the Order of Railroad Conductors.

## Leather Goods

Our stock of leather bags, purses and pocketbooks comprise only the most perfect articles of the kind that we could find.

## Every Piece is Reliable

And the prices are low for the value.

ARTHUR M. FIELD  
Company,

Leading Jewelers,  
Cor. Church St. and Patton Ave

## For Sale or Rent

Large boarding house unfurnished. "The Brexton," No. 11 Starnes Avenue, \$50.00 per month; recently painted; good condition.

For Sale: Beautiful Suburban house, with 60 acres of land water and sewerage.

Aston, Rawls & Co  
18 1/2 South Main street.

## THE PRESIDENTIAL PARTY ARRIVES AT RAPIDAN, VA.

Mr. and Mrs. Roosevelt Will Spend Today at the Home of Jos. Wilner.

## TURKEY HUNT FOR MONDAY

Rapidan, Va., Dec. 20.—The train bearing the presidential party arrived here this afternoon. Joseph Wilner, the president's friend, at whose home he will spend the Sabbath, was waiting for the party at the depot with a carriage. Mr. Wilner's residence is a typical Virginia home. Mr. Wilner is a bachelor and lives alone, save for a housekeeper. After luncheon the president and Mrs. Roosevelt went for a horseback ride. The president, Mrs. Roosevelt and the children will attend service at the Episcopal church. The residents of the neighborhood have planned a turkey hunt for Monday. The president retired early tonight.

## MRS. GRANT'S BODY TAKEN TO NEW YORK

New York, Dec. 20.—The body of Mrs. Grant, widow of General Grant, arrived from Washington late this afternoon and was sealed up tonight in sarcophagus of the Grant mausoleum on Riverside drive, which was prepared for it when the tomb was built.

## SIX KILLED; 20 WOUNDED

San Francisco, Dec. 20.—The "Stock-to-Flyer" ran into the rear of an owl train at Byron, Cal., tonight. The rear car of the owl train telescoped, killing six and wounding 20.

navy is the Chinese torpedo boat Hihung, which was captured by the Germans at Taku.

## The Handsomest Place

On Montford Avenue can be bought at a bargain on account of the owners having decided to leave town. The house has all modern improvements and the grounds are the handsomest, for their size, in the city. Let us show it to you.

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. Gentlemen's Riding Breeches and Livery a Specialty.

## Meerscham PIPES

With amber mouth pieces—where the husband or brother but that would be proud to get one Christmas. They would also be delighted with a

## Box of Cigars

MICHELSON'S  
ON THE SQUARE.

## COLD CREAM

Fresh cold cream, fine for skin and complexion, 15 and 25c per jar.

HOLIDAY PERFUME. We offer a choice assortment of holiday perfumes and sachet powders. They are of the best quality, daintily boxed and very reasonably priced.

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