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## Leads all North Carolina Daily Papers in Both News and Circulation

### THE UNION'S FIGHT FOR RECOGNITION

#### McVea Finds Mitchell an Adroit Fencer.

#### KEEN LAWYER IN DESPAIR

"Mr. Mitchell You are the Best Witness for Yourself I Ever Confronted," He Says, Throwing up His Hands.

(By the Associated Press.)  
Scranton, Pa., Nov. 17.—In the presence of as many persons as could be jammed into the Superior Court room today, Wayne MacVeagh, for the Erie Company, and John Mitchell, for the miners, continued their brilliant battle of cross-examination before the Anthracite Coal Commission.

The two men, the one in his thirties and the other in his seventies, were followed with intense interest by the commissioners and the crowd throughout the day and the contest will be resumed in the morning.

The fourth demand of the union, which calls for a yearly trade agreement and which means a straightout recognition of the union, was the bone of contention, and, although four hours were taken up in a discussion of the question, not much material progress was made.

Wayne MacVeagh, skilled in the art of cross-examination, attempted to show the utter irresponsibility of the union and its inability to make contracts which it would live up to. His principal argument was the alleged boycott and he often hard-pressed the miners' president for an answer. The latter, however, slowly and deliberately gave some reply, but it did not always satisfy his inquisitor. Mr. MacVeagh, in the presence of the assemblage, expressed his admiration of the ability of the witness and on one occasion, when Mr. Mitchell carried a question regarding the boycotting of a coal and iron policeman by a hotel-keeper, the distinguished attorney threw up his hands, laughed, and said: "Mr. Mitchell, you are the best witness for yourself that I ever confronted."

Mr. MacVeagh weighed heavily on what he said was a reign of terror in the anthracite region during the period of the strike. He read a list of fourteen names of men who were killed during that time and also submitted in evidence about seventy-five printed pages of acts of alleged violence, boycott and intimidation, and with the assistance of stacks of other documents, maintained that it would be utterly impracticable for the coal companies to represent to enter into agreements with an organization that could not control its own men.

Mr. Mitchell stoutly maintained that the discipline in the organization is as good as it possibly could be where 147,000 men were involved. He claimed that the strikers were not entirely responsible for the acts of lawlessness that were committed. He regretted that members of the union, in some instances, violated the law, even after they had been warned to refrain from doing so, but made the excuse that in times of great excitement there always was more or less disorder.

In answer to questions he said that where there was a reign of terror, and he had no information that such was the case during the late strike, conditions arise that are "intolerable" or "unfortunate."

Replying to specific instances pointed out to him by Mr. McVea, where men had been deterred from going to work through fear of personal harm or social ostracism for themselves and families, Mr. Mitchell said that in some cases, men may have been deterred, but denied the assertion that such alleged acts prevented the mines from being operated. He said that when the strike was declared every mine worker in the region quit work and remained out even after the entire National Guard of the State had been thrown into the coal fields.

In short, he said, the men would not have gone to work under any condition.

The miners' president, no matter how skillfully he was questioned, could not be dragged into a flat admission, that he as president of the union, approved of the boycotts complained of by the companies. He had his personal opinions of some phases of the boycott, but would not express them as being the sentiment or policy of his organization. During the cross-examination, the commissioners often interrupted with questions in order to stop a long colloquy of some disputed point. While the examination was at times quite spirited, the best of good feeling prevailed. Only once Mr. Mitchell showed signs of irritability. This was when Mr. MacVeagh, reading the long list of acts of violence, would take Mr. Mitchell to task for some particular vicious act and say, sharply:

"You could have prevented this."

In the course of the forenoon session, Mr. MacVeagh examined Mr. Mitchell regarding the eight-hour demand and referred to the fact that Abraham Lincoln, James A. Garfield, and William McKinley worked more than eight hours a day and were thus enabled to climb the ladder to the Presidency. Mr. MacVeagh grew eloquent in the course of, putting one of his questions to Mr. Mitchell regarding the martyred President, adding:

"I only mention these because they are the three victims of the spirit of anarchy, which is the curse of this country today and the only serious curse afflicting it."

The miners' president, quick as a flash,

came back with the inquiry, "Trade unions are not held responsible for it, are they?"

To which Mr. MacVeagh quickly responded that they were not and supplemented this with the remark that labor unions are most admirable. The bringing of the word "anarchy" into the examination caused a distinct murmur of disapproval from the many mine workers in the court room.

#### SCOPE OF INQUIRY WIDENS.

While the discussion of the effect a yearly agreement would have on the coal industry in the anthracite region was in progress, frequent reference was made to the workings of agreements in soft coal regions. This led to the announcement by Chairman Gray that the commission had decided to invite Herman Just, Commissioner of the Illinois Coal Operators' Association, to testify before the commission. This announcement was favorably received by each side and the attorneys for the miners and the operators made suggestions for additional witnesses.

Mr. Wilcox, general counsel for the Delaware and Hudson Company, after a conference with other attorneys, handed up a suggestion that "such other witnesses, if any, as the Illinois Coal Operators' Association, may deem proper for the purpose of showing the effect of the trades agreements with the United Mine Workers of America" be invited to attend.

Mr. Darrow, counsel for the miners, suggested these names:

O. L. Garrison, of St. Louis, president of the Illinois Bituminous Coal Association; J. Smith Talley, of Terre Haute, president of the Indiana Bituminous Coal Association; J. H. Winder, Columbus, Ohio, manager of the Hocking Coal Company; T. W. Davis, Saginaw, Mich., commissioner of the Michigan Coal Operators' Association.

It is likely the gentlemen whose names have been suggested as witnesses will be invited to come here.

The investigation is dragging too slowly to suit the commissioners, and it is likely the commission will probably tomorrow, ask both sides to agree on some arrangement for expediting the investigation. Mr. Mitchell has now been on the stand for three days and has been examined by the attorneys of only two companies.

#### CASE OF THE NON-UNION MEN.

The second attorney, Mr. MacVeagh, is not yet through with him. The lawyers for the Delaware, Lackawanna and Western Railway Company, and the Philadelphia and Reading Company will next take Mr. Mitchell in hand, unless the programme is changed. It is expected the attorneys for the non-union men will present their case to the commission tomorrow. They have asked the commission to take up the grievances of the non-union men, growing out of the strike, and as the non-unionists are not a logical party to the arbitration scheme, their attorneys have been requested to give reasons why the commissioners should take up their case. If it is decided to hear them, it will inject an entirely new feature into the investigation and one which was not expected in the time President Roosevelt created the commission.

#### FOR SOUTHERN MISSIONS.

#### Amounts Appropriated by the Conference of the Methodist Episcopal Church.

(By the Associated Press.)

Albany, N. Y., Nov. 17.—At the session of the General Missionary Conference of the Methodist Episcopal Church here today, a spirited debate took place on the question of increasing the amount to be devoted to missionary work in the South. It was suggested that it would be advisable to spend the money in quarters where the Methodist Episcopal Church, South, was not engaged. Bishop Hartzel resented this, saying:

"It is proposed to force us out of the South, while Providence in its own good time may bring up together with our Southern brethren. I do not see that it is necessary to anticipate the Providence."

"Thank God, the bloody shirt does not have any longer," said Bishop Walden. "There is no necessity of this doubling up on missionary work. We have two theological schools near the City of Mexico, where only one is needed. When you come to talk of Providence, it should be our business to cultivate the preliminary conditions necessary to the union of the churches so as to be ready for the possible work of Providence."

These sums were apportioned for missionary work in the South:

Among the whites: Alabama, \$2,500; Atlantic Mission, \$1,400; Austin, \$4,000; Blue Ridge, \$2,600; Central Tennessee, \$2,800; Georgia, \$2,100; Gulf Mission, \$3,500; Kentucky, \$4,000; Colson, \$1,800; Missouri, \$3,000; St. Louis, \$4,200; St. John's River, \$3,000; Virginia, \$3,300; West Virginia, \$4,500. Work among the colored people: Atlanta, \$1,100; Central Alabama, \$1,200; Central Missouri, \$3,500; Delaware, \$1,500; East Tennessee, \$1,800; Florida, \$1,900; Lexington, \$2,200; Little Rock, \$2,700; Louisiana, \$2,700; Mississippi, \$1,800; Mobile, \$1,100; North Carolina, \$2,200; Savannah, \$2,200; South Carolina, \$2,800; Tennessee, \$2,200; Washington, \$1,900; West Texas, \$2,900.

A request that a special secretary be named to look after the interests of the colored Methodists of the South referred with a favorable recommendation to the open-door emergency commission.

#### Will Pass Through Asheville.

(Special to the News and Observer.)

Asheville, N. C., Nov. 17.—The President's special train will stop here for a few minutes on the return from Memphis to Washington. The train is scheduled to arrive in Asheville at 6:10 and to leave at 6:15.

### WILCOX IS ARRAIGNED FOR TRIAL.

#### E. F. Aydlett, His Counsel, Says He's not Ready.

#### Judge Moore Will Hear Argument To-day on the Removal or Postponement of the Case.

(Special to the News and Observer.)

Elizabeth City, N. C., Nov. 17.—James Wilcox, charged with the murder of Miss Nellie Cropsey, and to whom the Supreme Court has granted a new trial, was arraigned in court at 3:30 today. His counsel, E. F. Aydlett, said that he was not ready for trial and that he would present an affidavit in support of motion for removal. Solicitor Ward said that now was the time to make the motion; that he had counter affidavits. The question whether the case will be tried here at this or a later session of the court or moved to another county will be argued before Judge Moore tomorrow.

Wilcox's demeanor today was cool and self-possessed. He was neatly dressed and had the appearance of good health and being well cared for.

#### POISONED TWO BOYS.

#### Paul Woodward is Convicted of Murder in the First Degree.

(By the Associated Press.)

Camden, N. J., Nov. 17.—Paul Woodward was today convicted of murder in the first degree for killing John Coffin of this city, who, with Walter Price Jennings, was recently found dead in the woods near Collingswood, about four miles south of here.

Woodward, who is 24 years of age, was a close friend of the Jennings boy. On October 4, Jennings and Coffin, who were about 19 years of age, and companions were found dead in the woods near Collingswood.

Woodward was arrested on suspicion of knowing something of the death of the boys. During his trial it developed that he was last seen with them and testimony was adduced showing that he had purchased poison. It was shown that robbery was the motive for the crime. Woodward, according to the testimony, induced the two boys to accompany him to the Collingswood woods where, during a luncheon, he administered the poison and robbed the children of the money they possessed. Jennings, it was testified, had stolen \$10 from his father before going to meet Woodward. The prisoner was tried on the direct charge of murdering Coffin. He attempted to prove an alibi, but failed.

#### COLLISION IN THE YARD.

#### Dr. Hafham Raises \$1,100 to pay off Debt on Baptist Parsonage.

(Special to the News and Observer.)

Henderson, N. C., Nov. 17.—At 4 o'clock this morning an engine ran into some cars in the yard. One of the cars was wrecked and the engine damaged to some extent. No lives were lost.

Dr. J. D. Hafham raised eleven hundred dollars by collection at the Baptist church yesterday morning to pay off the debt on the Baptist parsonage.

#### An Active Tobacco Mart.

(Special to the News and Observer.)

Asheville, N. C., Nov. 17.—The recent revival in the leaf tobacco market here has been so great as to recall the old days, when Asheville, ranked with the most flourishing tobacco markets of the South.

The impetus given the industry this season is attributed to last season's high prices. Representatives from the largest tobacco concerns in the country have been placed on this market, and prices are exceptionally good. It is estimated that one-half of the tobacco sold in Asheville goes to foreign markets.

Within the past week the activity has been particularly marked and not less than 100,000 pounds of the yellow leaf has been marketed.

For two days the breaks amounted to 30,000 pounds each day. Most of the leaf comes from Buncombe, Madison and Haywood. Prices are ranging from \$6.00 to \$30.00. Ordinary grades are selling best and bring from \$9.00 to \$15.00 per hundred.

#### Child Badly Hurt.

(Special to the News and Observer.)

Statesville, N. C., Nov. 17.—The little son of Mr. Clarence Boshamer was thought to be seriously hurt yesterday. He was swinging on to a wagon and fell. When found he was unconscious and remained so for several hours. His life was despaired of for some time. At this writing he is thought to be better and his recovery is expected.

#### Captain Porto Rico Police.

(Special to the News and Observer.)

Nashville, N. C., Nov. 17.—Nashville feels proud that a Nashville man has been the second to receive an appointment on the insular police force in Porto Rico. This is E. B. Wilcox, of this place, who is now captain of the force at Humacao, in place of Captain Barrios, suspended as the result of an investigation into a shooting scrape.

### DOOM CAME IN FLASH OF DYNAMITE.

#### Two Persons are Killed and Ten Injured.

#### Ten Business Houses Wrecked by Terrific Explosion That Rent Blazing Station at Pell City.

(By the Associated Press.)

Birmingham, Ala., Nov. 17.—A fire which broke out in the freight depot of the Southern Railway at Pell City, 54 miles east of here, at 4 o'clock this morning, was followed by a terrific explosion which resulted in two persons being killed and ten injured, two perhaps fatally.

The dead:

J. D. HALL, merchant, of Pell City.

THOMAS WHITEFIELD, brick mason, from Cedartown, Ga.

The injured are:

Hon. N. B. Spears, former member of the Alabama Legislature and Republican candidate for Congress in the Seventh district two years ago; arm broken and internally injured; perhaps fatally.

Engineer John Griffin, terribly cut in the side by a piece of flying wood; fatally.

M. Tilden, Atlanta, Ga., bruised.

Macy Seaborn, hand broken.

D. A. Pike, agent Seaboard Air Line; arm broken and leg injured.

Frank Hightower, Cedartown, Ga.; forehead injured.

Mrs. Hardy Cornell, proprietor of the Pell City Hotel; foot crushed and internal injuries.

W. A. Croley, druggist; face and chest hurt.

Conductor E. P. Sinclair; arm broken.

Conductor J. M. Jackson; right shoulder dislocated.

When the fire was discovered the night operator saved the alarm by repeatedly firing a revolver. This aroused the citizens who ran to the depot to help save the freight. The fact was overlooked that fifty cases of dynamite were stored in the place and the explosion occurred while a large crowd of citizens and railroad men were near the scene.

Ten business houses, including the Pell City Hotel, were also wrecked, causing a heavy loss. Two freight trains on the siding were gotten away in time to save them. Several of the injured were brought here.

#### FOR FALSE RETURNS.

#### Charge Against Postmasters Fulp and Stewart, Claim Investigation Will Clear up.

(Special to the News and Observer.)

Winston-Salem, N. C., Nov. 17.—Dr. Fulp, postmaster at Fulp, near Walnut Cove, and Samuel Stewart, postmaster at Daisy, have been indicted on the charge of making false returns to the Auditor of the Postoffice Department in their statements as to the cancellation of stamps. The hearing was set for today before United States Commissioner Beckerdite. By request the case of Dr. Fulp was continued until Friday. Postmaster Stewart and his counsel appeared before Commissioner Beckerdite this morning and waived examination. The defendant was required to give a \$200 bond for his appearance at the April term of the Federal Court at Greensboro. It is understood that Dr. Fulp will take similar action on Friday. The two postmasters claim that an investigation will prove them not guilty. In their opinion a mistake has been made in the dates of cancellation of stamps and that if the error was committed by the postmasters it was unintentional, their reports being made in good faith. The friends of Dr. Fulp and Mr. Stewart are confident that they will be able to prove themselves innocent.

#### EDITOR HERBERT DEAD.

#### In Him Eastern Carolina Loses a Factor Who Will Miss Sadly.

(Special to the News and Observer.)

Kinston, N. C., Nov. 17.—Mr. W. S. Herbert, editor of the Kinston Free Press, died at his home Sunday afternoon of apoplexy. Mr. Herbert was about forty years of age. The remains were taken to Morehead City for interment tomorrow morning. A special train will run from Kinston on account of the funeral. The deceased leaves a wife and two little daughters, a mother, brother and sister. Mr. Herbert has been editor of the Free Press fifteen years, and was one of the best known men in Eastern Carolina. He has done much toward the up-building of Kinston and this section. He was a power in the community and will be sadly missed.

#### Mr. L. C. Southerland Dead.

(Special to the News and Observer.)

Goldsboro, N. C., Nov. 17.—Not unexpected, but with oppressive sadness to this community, did the news go forth yesterday afternoon of the death of Mr. Leslie C. Southerland, which occurred at his home on James street at 5:20 o'clock.

Mr. Southerland was thirty-four years of age, the elder son of Mr. and Mrs. John F. Southerland, and for a number of years manager of the firm of Southerland, Brinkley & Co., of which he was a member, and which by his close and competent attention to business, as well as by his general popularity, he built up to its present substantial hold upon the trading public.

Mr. Southerland was married in 1896 to

Miss Mary Miller, second daughter of Dr. J. F. Miller, who with his parents and one brother, Mr. Jas. Southerland, survive him, and to her and these the sympathy of our entire community goes out with inexpressible tenderness.

The funeral was held from the home this afternoon at 3:30 o'clock, conducted by Rev. Bradshaw, pastor of St. Paul's M. E. church, of which the deceased was a devoted member.

#### BRING DOWN THREE DEER.

#### Jury in the Lewis vs. Norfolk and Western Case Decide for Plaintiff.

(Special to News and Observer.)

Durham, N. C., Nov. 17.—Messrs. Geo. W. Watts, L. A. Carr and George L. Lyon have gone to Charleston, S. C., near which place they are enjoying a hunt on the game preserve belonging to the Virginia-Carolina Chemical Company. With them are Messrs. Garrard S. and Charles Watts, of Baltimore. On Friday the hunters succeeded in getting on the track of four deer, three of which they brought down.

Mr. Fred G. Battle, who accompanied the party, has returned home.

Persons who are back from Person Superior court at Roxboro, report that the case of Fletcher Lewis, colored, vs. Norfolk and Western Railroad Company, for \$3,000 damages for injuries sustained, was decided in favor of the plaintiff. The jury brought in a verdict for the full amount sued for.

Henry G. Barbee, an old Durham boy, has been elected vice-president of the Norfolk Canopy Company. This company has just been incorporated by Judge Hinkel, with a capital stock of \$2,500.

#### A PULP PAPER MILL.

#### One Backed by Millions to be Established in Western Carolina.

(Special to the News and Observer.)

Asheville, N. C., Nov. 17.—A pulp paper mill, backed by millions of dollars and to be one of the largest industries of its kind in the entire South, is to be established in Western North Carolina. The promoters of this new industry are on the field of action and are negotiating for the purchase of large tracts of land, known as the Whittier lands, located near Pomey Creek. The lands in question contain 72,000 acres. The company is represented by T. W. Kneeland, of New York. They own similar industries in different parts of the country, their two largest mills being in New York and Ontario. The Western North Carolina mill will not only manufacture pulp paper, but will also turn out finished products.

#### STILL MOSING FOR "BAR."

#### Roosevelt Defies Leaking Clouds and Kicks Him Brain-Ward.

(By the Associated Press.)

Smedes, Miss., Nov. 17.—Rain which began falling last night was still coming down early this morning, but ceased at 11 o'clock. A negro, who came into Smedes from the vicinity of the camp, reported that the President, despite the rain, was off shortly after daybreak. The manner in which "the Colonel" stuck to the trail on Saturday long after the others had abandoned the chase and returned to camp, earned for him the most profound respect for Holt Collier, who said he was a "powerful game and persistent hunter."

Tomorrow night the party will break camp. The train will leave here in time to reach Memphis at 9:30 Wednesday morning.

#### ACRES OF FLAME.

#### Armour's Great Packing Plant at Sioux City Destroyed Sunday.

(By the Associated Press.)

Sioux City, Iowa, Nov. 17.—The big plant of Armour & Co., which occupied three and a half acres of ground at the extreme south end of the stock yards district, was destroyed by a fire which started at an early hour Sunday morning on the second floor of the fertilizer building. Six hundred men are thrown out of employment.

The loss, as estimated by Charles W. Lennen, manager of the company, is \$900,000; the insurance, \$721,500.

The cause of the fire was said by Mr. Lennen to have been either spontaneous combustion or an imperfect dryer.

The fertilizer building, the beef killing house, the cattle chute, the oleomargarine building, the hog house, shops, chicken-packing plant, ice-houses and smaller department houses were burned in a quick succession. Twenty-four drums of ammonia burst with terrific explosions. The fire department was helpless. Many cows and hogs were consumed. The fire burned all day Sunday.

#### VISIT FROM SECRETARY MOODY.

#### 11 Wind off the Coast Blows a Distinguished Visitor to Goldsboro.

(Special to News and Observer.)

Goldsboro, N. C., Nov. 17.—Secretary of the Navy, William H. Moody, was a visitor in the city today. He was accompanied by his secretary, Mr. H. C. Gauss. They were on their way to Washington from Port Royal, S. C., and when off the North Carolina coast yesterday morning they encountered a very severe northeast gale, which caused Mr. Moody to order a steam launch to transport him and the secretary to dry land. The launch returned to the steamer Dolphin, which went on to Washington, while Mr. Moody and his secretary remained over in Beaufort last night and came up here this morning, where they boarded the southbound train on the Atlantic Coast line for Washington.

Hon. Ben Bump, a former Representative in Congress from the Third district, who was in the House of Representatives with Mr. Moody, chanced to be in the city this morning and the two friends met in the lobby of the Hotel Kennon. Mr. Bump introduced several Goldsboro people to the distinguished visitor.

#### W. & B. BEER'S MARKET LETTER.

(Special to News and Observer.)

New Orleans, La., Nov. 17.—Liverpool was more favorable than expected, owing to the bad weather prevalent in Texas. Our market in sympathy opened from 10 to 11 points higher, declined 4 to 6 points later on the heavy receipts and predictions of fair and warmer weather in Texas. Subsequently, however, fresh buying predicated on a better demand for occasional spots an advance of three to five points from the bottom, making the net gain 8 to 9 points on the day. Manchester cables say there was a moderate turn over last week, which was unevenly distributed. The inquiry from China was poor, that market being depressed, owing to the decline in silver. Rains were reported from the central and western portions of the cotton region, while generally fair weather prevailed over the eastern. The first freezing temperature of the season was reported from Oklahoma and a heavy frost at Abilene, Texas, with the temperature at 34 degrees. It is predicted that fair weather will prevail in Texas and throughout this district tonight and Tuesday. The temperature will rise in all portions of the district by Tuesday, except in Southern Louisiana, where it will fall tonight. Those favoring a reaction have been steadily buying since last Thursday on the expectation of freezing weather materializing in Texas. So far it has not been realized, and there are no immediate chances of the same taking place. While it is so late in the season, that it is claimed a killing frost will do very little damage, still sentiment is bullish and anything favorable to the article is eagerly grasped to enhance values. Receipts continue liberal and increase in volume whenever there is an export demand, providing that there must be a large supply to draw from. The future course of the market will be regulated by the weather, receipts and the demand for spots.

H. & B. BEER.