

The News and Observer.

Leads all North Carolina Daily Papers in Both News and Circulation

STILL PROBING PRES. MITCHELL

A Quiet Day Compared to Previous Ones.

ARBITRATORS TAKE PART

Commission Growns Restless Under the Long Drawout Cross-Examination of the Lawyers--President Mitchell Shows Weariness.

(By the Associated Press.)
 Scranton, Pa., Nov. 18.—Mr. Mitchell, for the fourth successive day, occupied the witness stand during the two sessions of the Strike Commission and was cross-examined by three attorneys for as many coal companies. While a considerable amount of information for the enlightenment of the commissioners was brought out, the day was a rather quiet one, compared with those which have preceded it. The arbitrators are growing restless in consequence of the long cross-examination which, apparently does not bring out the facts as fully as the commission would like to have them presented. Several times during the course of the day's session, Chairman Gray reminded the attorneys of the value of time and suggested that cross-examination be limited to new features of those questions that already have been gone over. The lawyers assured the Commission that they, too, were anxious to expedite matters and would do every thing possible to hurry matters along without injuring their own cases. Mr. Mitchell has been on the stand since last Friday morning, and is showing signs of weariness from the strain of four days of cross-examination. Thus far his attorney, C. S. Darrow, and David Wilcox, for the Delaware and Hudson; Wayne E. MacVeagh, for the Erie; Francis I. Gowan, for the Lehigh Valley, and W. W. Ross, for the Delaware, Lackawanna and Western Company, have examined the miners' president. The commissioners today, for the first time, entered into the discussion with the lawyers and the witness over disputed points, which rose from time to time.

Mr. MacVeagh, who began his cross-examination of Mr. Mitchell on Saturday, concluded at 11 o'clock today. The distinguished attorney centered most of his energies in trying to break the miners' reasons for asking for a yearly agreement with the companies on hours of labor, wages, and other conditions, which, if made, would be recognition of the union. Mr. MacVeagh's principal aim throughout his questioning of Mr. Mitchell was to show that the Mine Workers' Union, because of alleged acts of intimidation, violence and the use of the boycott by its members, proved itself to be a party to a contract. Mr. Mitchell would not admit, nor even assume for the sake of illustrating points that a reign of terror existed in the anthracite fields during the last six months. The recognition of the union is looked upon as the most important question before the commission, and it is quite evident from the trend of the proceedings thus far that the companies will oppose it to their utmost ability.

Mr. Gowan and Mr. Ross questioned Mr. Mitchell principally regarding conditions existing at the collieries of the companies they represent. These questions were more or less technical. Mr. Mitchell's answer, as a rule, differed very little from the reasons given in his preliminary statement to the commission for improved conditions for the union workers. Interest in the proceedings is not waning. The large crowds which have been wedged in the courtroom in the preceding days of the hearings, were in evidence. Neither is there a falling off in the attendance of attorneys, most of whom, there are almost two score present at each session.

Before proceeding to the examination today, John Linehan, of Wilkesbarre, one of the attorneys for the non-union men who want the commission to take up their case, handed to the commission a list of 2,000 names of non-union men as his authority for appearing before the arbitrators. He did not wish the commission to make the names public at this time, but as Chairman Gray said everything filed with the commission is public matter, the names were unofficially handed in and were not given out for publication. He also filed a statement of the non-union demands.

Mr. MacVeagh read a statement regarding the right to strike as belonging to the personal freedom of workmen. He also took the view that in exercising that freedom those who cease to work must not interfere with the liberty of others who wish to work.

"We do not want anarchy," said Mr. Mitchell, "and that is anarchy pure and simple—the right of every man to do absolutely as he pleases regardless of its effects on society."

"This is the language of a very carefully disguised anarchy," Mr. MacVeagh remarked, "because it is the language of Archbishop Ireland."

"Archbishop Ireland never expected it to be used in that sense. I might say Archbishop Ireland is a member of a committee of which I am also a member which has declared for a trade union idea."

Answering a further question, Mr. Mitchell declared that if Archbishop Ireland's statement meant that men have no right to picket, he disagreed with him. Mr. Mitchell added that he did not

know that the archbishop was regarded as a supreme court on trade union matters.

Replying to Mr. MacVeagh's questions regarding union men belonging to the National Guard, Mr. Mitchell said no local in his union had ever expelled a man from the union for belonging to the guard, and that no national labor union of any kind ever had done such a thing.

Francis R. Gowan, representing the Lehigh Valley Coal Company, followed Mr. MacVeagh and questioned Mr. Mitchell regarding his comparison of wages paid in the bituminous fields as against those paid in the anthracite.

Mr. Mitchell was unable to say how many mines are so equipped as to enable them to weigh coal, and he did not think the expense of equipping them would be very great. Mr. Mitchell, answering further questions by Mr. Gowan, reiterated his former statement that one of the principal grievances of the men was the amount of "topping" required on each car.

For the first time during the session, the members of the commission then entered into a general cross-examination of the witness on points which the previous testimony had not brought out.

Replying to Bishop Spalding, Mr. Mitchell said that operators could form a coalition and stop the mining of coal throughout the United States.

Commissioner Watkins thought the law would prevent the operators doing that, by reason of their incorporation, but Mr. Mitchell said that they had the right to shut down their mines.

Judge Gray asked the witness if his society did not depend, after all, on the old economic truth that all great forces, which tend to uplift and carry on social advancement and civilization depend upon the average desire of the individual to better his own condition and to work for wages; and upon the desire of a man who has property to utilize it and get an income from it.

"I think that probably is true," was Mr. Mitchell's response.

Judge Gray: "If you can imagine all men ceasing to work at once the whole social machine would stop?"

Mr. Mitchell said: "Yes."

Commissioner Wright asked: "Do you consider it justifiable for the employers in a certain district in order to resist the demands of the labor union, to paralyze that industry to any group of industries?"

"No, I do not think it is proper," Mr. Mitchell replied.

"Would the same answer be made if I should substitute unions instead of 'employers'?"

"I think in either case," answered Mr. Mitchell, "some other avenue of adjustment than the paralyzation of the industry should be sought."

Mr. Mitchell, answering Commissioner Wright, said the United Mine Workers did not incorporate because the step was not necessary. An organization, to become financially responsible, he said, must have a large fund, and this the working people did not have. He said that employers who object to treating or contracting with the union, because it is not incorporated, would oppose treating with it anyhow.

Commissioner Wright asked Mr. Mitchell what he meant by recognition of the union, and the witness replied: "It means that the employers shall make agreements regarding hours of labor, wages, etc., with the union, and that the union, as such, would be held responsible for a rigid compliance with these agreements."

The cross-examination was next taken up by W. W. Ross, of New York, counsel for the Delaware, Lackawanna and Western, who examined Mr. Mitchell at great length on bituminous mining in and about Spring Valley, Illinois, where Mr. Mitchell dug coal for a dozen years.

Mr. Ross passed to the hours worked by miners, and in the course of a long line of questions, Mr. Mitchell said that on the days the breakers are worked ten hours, the miners are in the mines seven, eight and nine hours. The attorney then took up the question of increase in wages, and the witness stood by the reasons given in his preliminary statement of the miners' case to the commission.

The commission then adjourned.

NEW TRAFFIC MANAGER

Mr. E. L. Cost Appointed by Seaboard Air Line Yesterday

(By the Associated Press.)
 Norfolk, Va., Nov. 18.—Vice-President and General Manager J. M. Barr, of the Seaboard Air Line, today announced the appointment of Mr. E. L. Cost, as traffic manager of the Seaboard, to fill the vacancy caused last September by the resignation of Mr. W. H. Pleasants, who became president of the Ocean Steamship Company.

Mr. Cost has been connected with the Big Four system for some time.

UTLEY'S TRIAL POSTPONED

He Will be Tried in Fayetteville at February Term of Court.

(Special to News and Observer.)
 Fayetteville, N. C., Nov. 18.—In the criminal court here today, Judge O. H. Allen presiding, E. L. Utley was arraigned for killing T. B. Hollingsworth, and the case was continued until the January term by request of his counsel.

Virginia Corporation Commissioners.

(By the Associated Press.)
 Richmond, Va., Nov. 18.—The Governor, at noon today, named the following as members of the State Corporation Commission:

Beverly T. Crump, of Richmond, Va., for term ending 1904; Henry Fairfax, of Loudoun county, for term ending 1906; Henry C. Stuart, of Russell county, for term ending 1908.

WILCOX CASE WILL BE MOVED

After Much Argument the Judge so Decides.

THE COUNTY NOT NAMED

Will be Some County This Side of the Sound, Perhaps Perquimans, Gates or Chowan--The Prisoner Pleaded at Decision.

(Special to the News and Observer.)
 Elizabeth City, N. C., Nov. 18.—Jim Wilcox was again arraigned in court today at three o'clock this afternoon. The question as to removal or not was first discussed. Affidavits for both the defendant and the State were introduced and read by counsel. The first read was that of Jim Wilcox's in which he affirmed he had nothing to do with Neil Cropsey's death, claiming on account of public sentiment he could not get a fair trial. Here the solicitor read a counter-affidavit, signed by a number of citizens, believing that the defendant could get a fair trial, also an affidavit from five county commissioners believing the defendant could get a fair trial. The solicitor read an affidavit by himself, saying from what he knew of other counties he believed the defendant could get as fair a trial here as any county in the district. Additional affidavits by counsel for Wilcox were read, claiming that on account of the strong feeling and newspaper articles he could not get a fair trial here. A notice found on the all door some weeks ago, "Get Wilcox out of all by Saturday night if you don't want trouble," signed "Vox Populi," was also read. After reading the affidavits four strong speeches, two on both sides, were made. Ayldett, for Wilcox, spoke first, followed by Sawyer and the solicitor for the State, and Band for Wilcox closed. After the argument the judge decided to remove. After argument from counsel on both sides, the defendant's counsel suggested Tyrrell. The counsel for the State suggested Perquimans or Chowan.

The judge decided on some county on this side of the sound. He will name the county later in the week. It is believed it will be Perquimans, Gates or Chowan.

Wilcox's appearance today was the same as yesterday. He paid close attention to the proceedings. He appeared pleased when the decision for removal was announced.

VIRGINIA METHODISTS.

Hot Debate Over Conference Organ--Meet Next Year at Charlottesville.

(By the Associated Press.)
 Richmond, Va., Nov. 18.—After a lengthy debate the Virginia Conference of the M. E. Church, South, today remanded to the local ranks the Rev. Robert C. Garland, a minister of six years standing, and without his request granted him a location.

No charges involving moral questions were brought against Mr. Garland, who, according to all, is an earnest Christian gentleman, devoted to his work. But it was the opinion of a small majority of eight delegates that he is not adapted to the ministry. The debate over the case was characterized by one or two exciting incidents. One of the last things done was the adoption of a resolution signed by Bishop Granbery, Mr. J. P. Branch, and others inviting the general conference of the M. E. Church, South, to hold its next meeting in Richmond. The conference also decided to meet next year in Charlottesville.

At this afternoon's session of the conference there was a heated debate on the subject of control of the Christian Advocate, the conference organ, the question being on the appointment of a committee to provide for bringing the paper more fully under the control of the conference. The matter went over until tomorrow, to which time the conference adjourned.

DEATH OF DR. K. J. POWERS.

A Well Known Citizen of Wilmington Passes Away.

(Special to News and Observer.)
 Wilmington, N. C., Nov. 18.—Dr. K. J. Powers, a well known citizen of Eastern North Carolina, died here this morning after a brief illness. He removed to Wilmington from Duplin county about a year ago and continued the practice of his profession here. He was 54 years of age, and leaves a wife and four children to mourn their loss. The funeral was conducted this afternoon and the remains were interred in Oakdale cemetery.

C. and W. C. Road Re-elect Officers.

(By the Associated Press.)
 Charleston, S. C., Nov. 18.—The annual meeting of the stockholders of the Charleston and Western Carolina Railroad was held here today. The past year's business was shown to have been prosperous by the reports submitted. A. F. McKissick was elected a delegate to succeed the late D. A. P. Jordan. President J. B. Cleveland and other directors were re-elected.

WANT PENSIONS FOR WAGE-EARNERS

Federation of Labor Indulges in Some Resolutions.

FAVOR TICKET SCALPERS

The Gompers-Shaffer Matter May be Taken up by the Convention--The Committee Failed to Agree on the Fifth Man.

(By the Associated Press.)
 New Orleans, Nov. 18.—The Committee on Resolutions of the American Federation of Labor today reported favorably on a resolution introduced by the Coopers' Union asking that the convention protest against a bill now pending in the United States Senate requiring the government to cease issuing revenue stamps on all packages of malt or brewed liquors of the denomination of one-eighth. The report was adopted.

A resolution pledging the Federation to use every effort to defeat legislation against railroad ticket brokers and anti-scalping bills was favorably reported and adopted.

A resolution pledging the aid of the Federation in securing increased pay for letter-carriers was adopted.

The resolutions introduced by Victor L. Berger, of Milwaukee, instructing the Federation of Labor to use its best efforts to induce the National Congress to pass a bill securing to every wage-worker who shall have reached the age of sixty years without having had an average annual income of \$1,000, a pension of \$12 per month provided that the wage-worker is a citizen of the United States and has resided in this country for 21 years when the application for pension is made, were unfavorably reported.

After a lively debate the adverse report was adopted, 90 to 85.

The fraternal delegates from England, Scotland and Canada were presented. Enoch Edwards, the English delegate, made an address. In reply, President Gompers referred to the criticisms made in his annual address upon President Eliot of Harvard College, "for calling a strike-breaker a hero."

He upheld the position he had taken declaring that President Eliot belonged to the school which believed that matters would come right if left alone. The strike-breaker, he declared, was an economic outcast, as much a traitor to the cause of labor as any man who betrayed his country in time of war.

Mr. Agard, of the committee investigating the Gompers-Shaffer matter, reported that the four members had been unable to agree upon the fifth man. President Gompers was visibly agitated and upon hearing the announcement, he called Treasurer Lennon to the chair and said: "Up to now I have said nothing regarding this matter, but I now insist upon prompt action. If 24 hours more elapse and nothing is done, I shall ask at the opening of tomorrow morning's session that the committee be discharged and that the convention settle the entire affair."

Mr. Shaffer he would be glad to have the matter come before the convention as a whole.

PET BUCK KILLED.

Escapes From State Hospital and is Shot Near Auburn.

From a friend at Auburn comes the following, telling of a buck being killed there:

To the Editor: A few days ago, Mr. Alf. Smith, a farmer, who lives one and a half miles from Auburn, killed a deer, a fine buck. He saw tracks in his cornfield and soon found him in the woods, where he shot him dead. Why go to Currutuck or to the cane brakes of Mississippi to shoot big game? This is no "bar" story for Mr. Smith has just brought a piece of the meat here.

But, alas, there is another side to this story, and this is, that from the State Hospital comes the report that it is a two-year-old pet buck, which belonged to Dr. James McKee, that has fallen near Auburn.

The insane at the hospital were entertained by the buck, and Dr. McKee hoped to raise others. The buck was in an enclosure, with a seven-foot high fence, but managed to escape. He was chased, but the last seen of him he was making his way down Mills' road.

Telephone messages and letters were sent out, but without avail. That a lame buck was roaming in the woods, and now comes word that he has been killed.

A visitor to the city says the buck was easily approached and was lying down when killed. He was accustomed to having people near him, and had no fear that he was in danger.

WESTERN METHODISTS MEET.

Business Session Opens To-day--The Work of Yesterday.

(Special to News and Observer.)
 Monroe, N. C., Nov. 18.—The Conference Historical Society of the Western North Carolina Conference was held tonight. The annual address was delivered by Rev. W. L. Grissom, of Greensboro, his subject being "Education in the Early Methodism in America." The eleven presiding elders of the conference have

been in session today, appointing the boards and committees of examination for applicants and undergraduates for the next four years. The present committees of examination have been giving examinations today. Bishop Smith will arrive tonight and the first business session of the conference will be held tomorrow morning.

MRS. MOLINEUX'S PLANS.

Goes to Sioux Falls for the Purpose of Getting a Divorce.

(By the Associated Press.)
 Sioux Falls, S. D., Nov. 18.—Mrs. R. B. Molineux today gave out in her own handwriting the following statement:

"It is true I am in Sioux Falls for the purpose of instituting divorce proceedings. I have no plans except that I shall be a resident here for the next six months."

Senator Kittredge, her attorney, has enjoined her not to talk further to newspaper representatives.

Have Nothing to Say.

(By the Associated Press.)
 New York, Nov. 18.—Roland B. Molineux and his father were in conference with their counsel George Gordon Battle. At the close of the talk, Mr. Battle made the following statement:

"Neither General Edward L. Molineux nor his son, Roland B. Molineux, nor any other member of the family will make any statement in regard to the report in the press that Mrs. Roland B. Molineux has gone to South Dakota with the purpose of instituting an action for divorce against her husband."

"They regard it as a private matter concerning which no public utterance should be made. General Molineux desires to say further that all the members of his family have, at all times, treated Mrs. Roland B. Molineux with the utmost kindness and consideration. This is his last word on the subject."

Mr. Battle said that he had not been retained to defend the divorce suit.

LUMBER MEN MEET

Wants to Adopt Uniform Method of Grading.

Kenilworth Inn to be Sold--Suit Against A-lan's Loan and Trust Company--True Bill Against Edds.

(Special to News and Observer.)
 Asheville, N. C., Nov. 18.—A meeting of Hardwood Lumbermen, called by Secretary Louis Doster, of the Hardwood Lumber Dealers Association of the United States for the purpose of adopting a uniformity in grading, was held here this morning. The meeting was called to order by the secretary. He spoke of the benefits to be derived by the hardwood dealers in adopting a uniform scale of grading. A. J. Gahagan, representing the Loomis and Hart Manufacturing Company of Chattanooga, was made chairman.

A number of prominent hardwood lumbermen were in attendance and expressed themselves as being very much in sympathy with the Appalachian Park movement, and believed that the cutting of timber should be under government control.

Joseph M. Gizzam, of Philadelphia, the principal owner of Kenilworth Inn, arrived here last night. The Inn, which is one of the finest hotel properties in the South, is to be sold under mortgage tomorrow.

The case of J. F. Bottom vs. the Atlanta Railway Building and Loan Association, was taken up here today before Mr. Clement Manly, standing master. The case is in the nature of a petition brought by T. J. Stanford, receiver for the Loan and Trust Company against the borrowing of shareholders in North Carolina, the object being to foreclose the mortgages. The defendants claim that North Carolina laws should prevail with reference to the affairs of the concern, and that the mortgages under this law are various, while the receiver contends that the mortgage laws prevail, as it is in the State that the concern is domiciled. It was decided that the evidence in the case should be taken during the present term of the Federal court in Charlotte. About \$80,000 in assets are to be collected in various States.

The grand jury of the Superior court has found a true bill of indictment against F. C. Edds on the charge of embezzlement of \$7,000 from James House, a boy injured by a train of the Southern railway, and for whom he was appointed guardian.

A report comes from Rutherfordton to the effect that Moody has declined not to contest Guder's election. One of Moody's attorneys denied the report.

To Tap Rich Coal Fields.

(By the Associated Press.)
 Knoxville, Nov. 18.—President J. H. Ellis, of the Knoxville, Lenoire and Jellico Railroad Company, announces that his road will build the proposed Oliver Springs and Coal Creek branch from Dossett into one of the richest coal fields in East Tennessee. Dossett is on the main line of the Knoxville, Lenoire and Jellico and the Southern railroads. The branch of the road will parallel the Southern for a considerable distance into the Coal Creek territory.

Price of Sugar Advanced.
 (By the Associated Press.)
 New York, Nov. 18.—All grades of refined sugars have been advanced 10 points.

YOUNG WOMAN STABBED TO DEATH

The Crime the Work of an Enraged Woman.

KILLED AT HER OWN HOME

Assailant Boldly Enters the House and Pursued Her Victim to the Kitchen Where the Awful Deed is Done--Suspected Murderers Arrested.

(By the Associated Press.)
 Rochester, N. Y., Nov. 18.—Miss Florence McFarlin, aged 21 years, a music teacher, was stabbed to death in her father's house here today by another woman, and an hour later Mrs. Lulu Young, wife of Frank Young, at one time city purchasing agent, was arrested as being the supposed murderess. The woman who committed the deed rang the door-bell of the McFarlin home today and when Miss McFarlin answered it, attacked her with a knife. Miss McFarlin ran screaming through the hall into the kitchen, closely pursued by her assailant. In the kitchen she stumbled, half turning. In a flash her pursuer was upon her and with a rapid slash had stabbed her five times. Miss McFarlin sank to the floor, dying instantly. The murderess fled. The only words she was heard to utter were: "She has come between myself and my husband and I'm glad that she is dead."

The dead woman was the daughter of a railroad man. She was a person of refinement and good appearance. Mrs. Young made no statement after her arrest.

COL. SLEMP WANTS ANOTHER COUNT OF VOTE.
 Republican Candidate for Congress in Ninth Virginia District Enters Court--Wants Precincts Thrown Out Counted.

(By the Associated Press.)
 Richmond, Va., Nov. 18.—In the State Supreme Court of Appeals today, J. F. Bullitt, counsel for Colonel Campbell Slemp, the Republican candidate for Congress in the Ninth district, entered a plea for a writ of mandamus to prevent the State Board of Canvassers from awarding the certificate of election to the Democratic candidate, Congressman W. F. Rhea, and to compel the county commissioners, of Scott, Wythe, Russell, and Washington counties to count the votes of the several precincts which were thrown out by them, and which, if counted, the petitioner claims, will change the result of the election in Colonel Slemp's favor. There was no argument by any of the numerous attorneys for the petitioner, with the exception of Mr. Bullitt, and he did not consume more than five minutes. The case was submitted to the court and an opinion will be handed down, it is thought, on Thursday next. Congressman Rhea did not oppose the petition, nor was he represented by counsel at the time it was presented.

NEGRO HOBOHURT.

His Leg Badly Crushed by a Freight Train at Gibsonville.

(Special to News and Observer.)
 Burlington, N. C., Nov. 18.—A negro man giving his name as Lassiter Smith, from Dunn, N. C., had his foot and ankle crushed by a through freight train on the yard here this evening, and amputation of the foot will be necessary. Smith says he has been working in High Point and was beating his way down the road, having boarded the train at Gibsonville. He got off here, and when he attempted to board the train in the lower end of the yard, missed his hold and fell under the wheels. He was turned over to Dr. Moore, county physician, who took him to the county home where the operation will be performed.

TRANSFERRED TO RALEIGH

Mr. Lee Denson to be With the Weather Bureau Here.

Mr. Lee Denson, son of Captain C. B. Denson, has been temporarily transferred to Raleigh. He is now in charge of the Weather Bureau at Meridian, Mississippi.

Mr. Denson is expected here the last of the week, and comes because his father is confined to his home, at the latter's request. Mr. Denson will be welcomed to his old home with pleasure. The friends of Captain Denson hope that he will soon regain his strength and his good health.

The Port Royal Property.

(By the Associated Press.)
 Washington, D. C., Nov. 18.—Secretary Moody will make a special report to Congress as to what disposition, in his opinion, should be made of the government property at Port Royal, formerly the site of the naval station. A provision in the last naval appropriation law called for an investigation and depth of water and the Secretary naturally will not disclose the character of his recommendations until they have been submitted to Congress.

The Secretary also acquainted himself with the work at Charleston and is expected to allude to it in his annual report.