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#### North Carolina Dailies News and Leads

## JUDGE SWAYNE IN OWN DEFENSE

of Career.

## ESPECIALLY AS JUDGE

and Denies That He Saw Anything to Indicate Conspiracy to Break up Hoskin's Business.

(By the Associated Press.) Washington, Nov. 28 .- Mrs. Susan Downs, was the first witness heard today by the House Judiciary Committee, which is investigating the Judge Swayne case. She keeps a Tarboro Suffers Loss by Fire-Damboarding house at Waco, Texas, where Judge Swayne stopped three times when he held court in that city. She charged Judge Swayne at the rate of \$40 per month for himself and \$68 by Mrs. Swayne.

The cross-examination of Robert J. Boone, of Florida, was then resumed, John M. Calhoun in the bankruptcy proceedings against Hoskings. While Attorney Higgins was con-

ducting a re-direct examination of at once, concerning the Hoskins' bankruptcy. The re-

There seems to be a disposition on the part of this witness," he said, "to off. blacken the character of this old man slight. Hoskins with every answer he A little later Boone testified that he

been going some time.

"That was when you needed more claims to keep your petition going, observed Mr. Clayton, of the sub-com-

or arrangement between himself and Calhoun existed against Hoskins. He also said he could not remember whether he had suggested Calhoun as a receiver for the Hoskins' property, but thought not. He said the reason he refused to settle when checks were offered to pay some the claims against Hoskins was that no offer was made to pay the costs.

Boone asserted that it was never that Hoskins was willing to settle in full with his creditors.

During the examination of Boone he explained the indictment against himself alluded to last Saturday. said he was charged with the embez zlement of \$30, and said the charge was the result of a disputed claim over insurance with a traveling agent of the company, which he (Boone) represented as local agent. Mr Palmer subjected Boone to a searching inquiry concerning the letter signed by a rubber stamp with Boone's treaty on the lines of the American-name which urged the prosecution of French treaty. C. D. Hoskins for contempt in order letter if not himself. Liddon, who was around the office a til Count Lamsdorff had accepted it. great deal. Asked as to the moive have had in writing the letter, he said that it would have been to connect Judge Swayne with the case by tion treaty with a foreign power. making testimony before this committhat if the letter remained uncontradicted it would show a spiracy, or, he added, not that exactly, but a connection between himings were started against Skayne.

make an affidavit that Hoskins was about to dispose of his property and "And on that affidavit," said Mr. "udge Swayne issued an order attaching Hoskins' property and depriving him of the use of it and

stopping his business?' replied the witness. "of course his business could not go on after the attachment was made. Attorney Higgins said that he desired to ask Mr. Liddon, the atatorney State of Georgia. for the prosecution, some questions on

cross-examination. "Have you ever been informed against for receiving an illegal fee in

a pension case? Liddon answered in the affirmative, and it was brought out that he had aged 71 years, received one-third of the amount collodged. Mr. Liddon then made a statement concerning the matter. It was, he said, his first and last pension case and happened thirty years. tI had not affected his single properties the matter of the matter of the matter. It was, he said, his first and last pension case and happened thirty years. tI had not affected his services in connection with this disease.

During the Spanish-American War he was sent by the United States government as an expert to make an had not affected his standing in Florof Florida and had been unanimously

National Convention. Judge Swayne then submitted long statement giving a history of his career, particularly of that when he was judge. He said that the prosecution of the election frauds of 1888 created a bitter feeling against him, and the Florida district was divided, by a political act of a Democratic Congress, signed by a Democratic President. He then went into an extended argument to show the first process of the state of the second that with Sewance next month in this city, have been chosen. They are George P. Whitman, of Atlanta and an extended argument to show that W. W. Patterson, of Columbus. he was a resident of the northern district of Florida, Judge Swayne also went over the contempt cases in his den't lose it if it is bad.

facts of which were nearly all set forth in the minority report in favor of Judge Swayne, and in previous testimony taken. Referring to the case of E. T. Davis and Simeon Belden he said that nothing was shown that would indicate malice on his part. Judge Swayne defended his course in the Hoskins' case. No tender he said was ever made by Hoskins in his cout for settlement. He said he saw n grounds for suspicion that a conspir Submits Long Statement grounds for suspicion that a conspiracy existed to break up Coskins' business. He believed, and the testimon showed, that the books taken by young Hoskins, for whom a contempt war-rant has been issued. Judge Swayne justified his actio nin sentencing W. C. O'Neal to sixty days in jail for contempt. He declared that he had never favored B. C. Tunison or been partial to him. He referred to attempts by certain attorneys to defame him in Florida newspapers. He de-nied a number of statements made by Defended His Course in Hoskin's Case John Wurtz. He never made, he said, but one trip from Delaware to Folrida in a private car. He made one trip in the same car to the Pacific coast and paid for the provisions himself. He asserted that during his term as judge he never allowed anything to influence his acts outside of the law. influence his acts outside of the law and facts. In answer to Mr. Palmer Judge Swayne justified his use of the private car of the railroad company which was in the hands of a receiver The committee decided to close the testimony and adjourned.

#### LIGHT PLANT BURNED.

aged Machinery to be replaced.

(Special to News and Observer.) Tarboro, N. C., Nov. 28.—Early Sunday morning at four o'clock the \$40 per month for himself and \$68 electric light building was discovered afire. All the wood part of this brick afire. All the wood part of the boil-structure was destroyed. The boil-structure was destroyed. The engines are probably in good condition. The Attorney Lidden, for the prosecution dynamo will have to be overhauled endeavoring to connect Boone with The town commissioners held a special meeting today and wired for an electrician to come at once. The damaged machinery will be replaced

oconcerning the Hoskins' bankruptcy
Mr. Palmer, of the sub-committee, objected to his line of questions and the caught it is supposed from a bad five. The roof of the kitchen was burned Mr. Jenkins damage was very

### CENTRAL HOTEL SOLD.

filed a claim of John M. Calhoun against Hoskins, after the case had \$120,000—Cantain Ryder the \$120,000-Captain Ryder the Purchaser.

> (Special to News and Observer.) Charlotte, N. C., Nov. 28 .- The entral Hotel property embracing the four story hotel building and one the most valuable lots in the heart of the city was sold at public auction at the county court house toda at noon to Captain W. B. Ryder, for

and Captain Ryder was the only bid There were a large number of local capitalists present at the sale which has attracted a great deal of interest, being the result of a friendly suit between the heirs, Mrs. Ela Oats and others against Mrs. Mary Wriston and others to clear title.

## ARBITRATION TREATY.

Russia Accepts Invitation to Conclude One With United States.

(By the Associated Press.) St. Petersburg, Nov. 28.—Russia has accepted the invitation of the States to conclude an arbitration

Although it was known that the "to break down old man, Hoskins." American government was desirous
He was asked who could have written of negotiating arbitration treaties with The wit- all the principal powers the fact that ness replied that he did not know un- Russia had been approached with a less it might have been a son of Judge direct proposition did not leak out un The approachment is expected any person other than himself could have a splendid effect on Russo-Amer ican relations, especially as it marks Russia's first adherence to an arbitra-

## New Georgia Road.

(By the Associated Press.) Macon, Ga., Nov. 28.-A special to Tunison and Calhoun with the the Telegraph from Atlanta says ins' case. The letter, he said, "Secretary of State Cook to "Secretary of State Cook to-day must have been forged after proceed- granted an application for a charter Mr. Palmer asked him if he did not ern Raiway Company. vided into shares of the value of \$100 each. Of this sum \$1,800,000 is to be common stock, and \$1,200,000 preferred stock. The general offices of the Savannah, Statesboro & Northern Railway Company are to be located in Savannah. The line will be 160 miles long and will run through sections of Bullock, Emmanuel, Burke, Jefferson, Glascock, Warren, Wilkes, Ogiethorp Clark and McDuffie counties in the

## Eminent Physician Dead

(By the Associated Press.) Houston, Tex., Nov. 28 .- Dr. W. L. Coleman is dead at his residence here,

received one-third of the amount collected, something over \$2,000. He had made a contract with the pensioner for washing over \$2,000 with the pensioner an authority on vellow fever, having the sub-clay with tenacious persistance. for such a fee, wwhich fee was paid served through several epidemics and back after the information had been won a Harvard medal, given in appre-

ernment as an expert to make an Since then he had been elected examination of the yellow fever condichief justice of the Supremem court tions of Cuba. He was the author of a book on yellow fever, which is considelected a delegate to the Democratic ered an authority among the medical

## Georgia Debators Chosen.

(By the Associated Press.)

orge P. Whitman, of Atlanta and

Keep your temper if it is good, and

## MEETS WEDNESDAY

North Carolina Conference at Henderson.

## MAGNETIC BISHOP

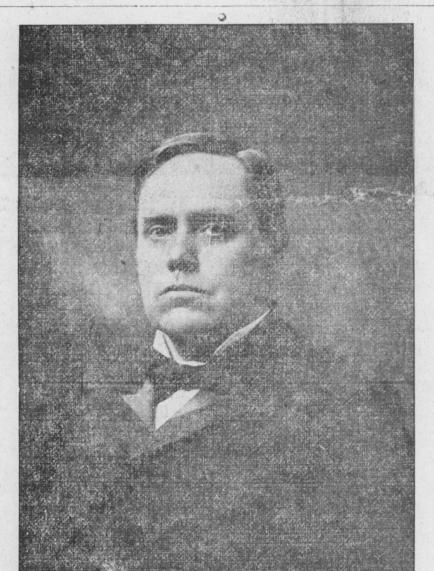
Something of the Man Who Will Preside Over the Deliberations of the Body. Methodists Strong and Progressive, Maintain Spirit of Circuit Riders.

the advance guard of the North Car-

only one hundred and five years to of the crowd. Essentially they are the time when Robert Williams first jolly and full of the spirit of comrode his horse through the country radeship. Between meetings they joke districts as the pioneer circuit rider.
Since that time the converts of Robert
Williams have grown from a widely scattered handful of plain people to a host of upwards of 143,000 earnest he is going to be sent for the year and

ceedings traveled from sand-dune mountain in the saddle bags of the 'gy whose daily journeys over coun-roads forged tighter and tighter chains of their influence on the

a romantic charm, the mystery of long-stilled effort that, magnified through the years, has a potent influnce on the present time. They were men who fought their way and were not afraid to speak They followed the straightest line. They did not hesitate to play upon the simple emotions of the people. They knew their congregations and they won them as best they could. In communities away from the centres, where all were plain, it is not remarkable that they should have exaggerated simplicity till it be came that most powerful of all appeals, the eloquence of the soil. And today this strength is a heritage that railroads and modern conveniences and touch with the world cannot entirely smooth away. Shut your eyes at a conference sermon and listen to the vibrant tones of the speaker and the note of the "circuit rider" creeps in through the years. The diction is in Sunday dress, perhaps, but it is distinct and distinctive. A Methodist preacher doesn't have to carry a card, even though he wears a sack suit.
The conference of today arrives on • A number of Methodist clergy the trains, but the difference is not essential. The personnel is fundamentally much the same. The preachers are, as a rule, hard-working, deolina Conference, which convenes in termined, not afraid of differences or Henderson on Wednesday morning, of differing. Each man feels that he Methodism in the State dates back must carry his own point, but when only one hundred and five years to of the crowd. Essentially they are



From the Raleigh Christian Advoc BISHOP WAR REN A. CANDLER. Who Will Preside Over the North Car olina Conference, 'Which Meets at Henderson To-Morrow.

grew in numbers and power until their organization as a body was made necessary in 1837; and, in 1890, anolina and the Western North Carolina feasible way in which the work of the church in the State could be administered with the best results.

## The Conference Development.

pioneers were strong, aggressive, plain larger growth and usefulness, spoken and hard-lived men whose immotif of Methodism has been ever bound up in the one word progress. Its aim has been towards the waste ence. A Methodist community cannot be uprooted. The principles, the convictions—even the prejudices of the sect—run in the blood of its folthe sect—run in the blood of its followers almost with the power of physical heredity. Your Methodist may change his church, but he at once officer, an Irishman born to rule. He The spirit sticks with him. He is always open to conviction, but he had be has the wit and humor to conviction. rather convict. In short the Meth- trol without irritating. He rides the odist is more than three parts mili-tant; he is never self-satisfied; there and a steady hand at the rudder. Alare no boundaries to his vision or ways he guides and directs and conlimits to his ambition. He does not structs. finally determine his success.

small gathering of leaders who were within reach of the meeting place or who could be sent, one from a large district, on the meagre savings of poor people. But every Methodist was there in spirit and, as the tales of Homer sang themselves through

men, women and children which is each man knows where he would like representative of the most useful life to go. Hence there is a deal of and highest aims of the common- "politics"—which is wherever there is The Bishop is the man of the ern Railway Company. The company is to be capitalized at \$3,000,000, di-vided into shares of the states of the North Carolina to the North Carolina to the Method of their identity as a part of the Method of the Wirginia confervity. The presiding elders are powerful Senators. The pastor of Raleigh or Wilmington or Durham is a Wada 'hit the trail" to the inlets of the far ast; the humble missionary whose salary is partly paid in fish may be the Bryan to stampede the conference or the Tillman to upset all pre-conceptions. For all of these reasons —more for the strong and diverse personalities of the delegates—a conference is one of the most interesting of gatherings. But out of each one comes an undeniable measure of good been through the years the striking thing about the denomination. Its pioneers were strong agreed. Its

## The Big Man-The Bishon.

Over this year's conference, consist-ng of one hundred and sixty-six heads of pastoral charges and over two hundred and two clerical members, will be Bishop W. A. Chandler, of Atlanta, Georgia. The Bishop, who has once before

presided over a North Carolina con-Naval Officer. Nobody can hold a meeting believe he is right; he knows it. And of Methodists without question, and an invitation for the United States to doing business in the State. the sublimity of his faith will Eishop Chandler frequently arouses heat. When the blaze is at its height Years ago the conference was a the Irish in him comes to the surface small gathering of leaders who were and the fire is quenched with a joke Degger Bank incident. wittielsm that is sharp but sting-When the laugh has died away ship is sailing with a fair wind (By the Associated Press.) the Bishop is smiling at the

(Continued on Page Six.)

# WILL CASE

## End of Celebrated Fayerweather Suit.

Bequest of \$2.500.000 Involved Fought by Widow and Nieces of Deceased. Settled by U.S. Supreme Court Today.

(By the Associated Press.) Washington, Nov. 28.-The case known as the Fayerweather Will Case was decided by the Supreme Court of the United States to-day in favor of the United States to-day in favor of Saturday Justice Dayis ordered an althe colleges. The case involves a bequest of about \$2,500,000 made to twenty different colleges by the late Daniel G. Fayerweather, a leather merchant, of New York, who died in 1890. The will was attacked by Mr. Fayerweather's widow and two nieces, fraud being alleged. The case has alternative but to discharge the jury. Fayerweather's widow and two nieces, fraud being alleged. The case has been pending in the courts for many years and has been before the Supreme Court on several occasions. The last decision in it was rendered by the Circuit Court for the Southern district. of New York and was favorable to the colleges. The heirs then appealed to the Supreme Court, but to days the colleges. The heirs then appealed on bail. Their acceptance of the noto the Supreme Court, but to-day's tice served by the prosecution, howopinion affirmed the finding of the Circuit Court. The opinion of the court was delivered by Justice Brewer and y adjudicated

The beneficiary colleges are: The benenciary colleges are: Bowdoin, Dartmouth, Williams, Amherst,
Wesleyan, Yale, Columbia, Union
Theological, Hamilton, Rochester, Cornell, Lafayette, Lincoln, Virgina,
Hampton, Maryville, Marietta, Adelbert, Wabash and Park.

SNARL FROM VARDAMAN.

Answer to Roosevelt's Admiration for Mississippi Building at World's Pair.

people of Mississippi to know that they have done one thing that the present President of the United States opproves. Doubtless the President's dmiration of the Mississippi building due to his admiration of Jefferson Davis, of whose last home it is a re

## BURGLAR CAPTURED.

Made Desperate and Murderous Assault on His Captors.

(Special to News and Observer.) Lumberton, N. C., Nov. 28,—Henry Duncan, colored, of Rutherfordton as captured here early this morning wh le burglarizing the store of L. H aldwell, and three pistols. watches, rings and other articles were ound on his person.

He made a desperate fight, firing ive shots at the officers, one of which assed through the coat of Elmer Mc-Neill, the others giving Policeman

Justice Skipper and bound over to court on a \$1,290 bond.

Tresident and director of the American Book Company and trustee of Cor-His accomplice,' named Williams

#### HARBOR IMPROVEMENTS. Question of Looking Into Needs of

Wilmington, N. C.

(By the Associated Press.) Washington, Nov. 28 .- The House today and decided to prepare a river and harbor appropriation bill to be presented early in the coming session of Congress. The committee also of Congress. discussed the question of Wilmington, N. C., to look into the proposed improvements there, promise to that effect having been made sometime ago. The committee will meet again tomorrow.

#### HARBOR IMPROVEMENT. An Allotment of \$30,000 Made by Secretary of War for Norfolk.

(By the Associated Press.) Washington, Nov. 28.—On the recommendation of Brigadier General McKenzie, chief of engineers, the Acting Secretary of War has made an allotment of \$30,000 from the river and harbor act of April last for the estoration o fthe channel at Sewall lotment is an addition to an unexpended balance of \$20,000 from the river and harbor act of 1902.

### COURT OF INQUIRY United States Asked to Appoint a High

(By the Associated Press.) Washington, Nev. 28.—Count Cassi-, the Russian Ambassador, and Sir Mortimer Durand, the British Ambassador, called separately at the State grown to such an extent in North Pepartment today to present, on be-Carolina that it is now looked upon appoint a "high ranking naval officer" Mr. Hall will continue in charge of as a member of the Court of Inquiry the State of North Carolina for the which will investigate the facts in the Germania and his headquarters

## Government Sustained.

Washington, Nov. 28.—The case of the United States vs. F. G. Evans, widow is seldom alone.

health, was decided today by the Su-breme Court of the United States today, in support of the contentions of the government, thus reversing the decision of the District court for the southern district of Alabama. proceedings against the Blackhealth was instituted to collect damages on account of the destruction of a beacon light in Mobile harbor. The question involved was that of the jurisdiction of the court sitting as an admiralty court, which the court sustained.

## AWAITS NEW TRIAL.

Nan Patterson Goes Back to Tombs for Another Week.

(By the Associated Press.) New York, Nov. 28.-The jury in the Patterson murder trial was dis-charged to-day and at the same time District Attorney Jerome served notice on Miss Patterson's counsel that a new jury would be selected and a re-trial begun at the term of court which

opens one week from to-day. The illness of Edward Dressler, a juror who was stricken with apoplexy ever, seemed to dispose of that story.
Miss Patterson appeared very much was delivered by Justice Brewer and dejected as she was led back to the held that the case had been previous- Tombs to await the beginning of the

#### LAWLESSNESS IN THE LAND. Judge Emory Speers Says Conferences Should be Held to Unhold the

Law. (By the Associated Press.) Savannah, Ga., Nov. 28.—Judge Emory Speer, of the United States District Court in charging the grand jury of that body to-day referred at great length to what he characterized which, when covered with snow, have as the lawlessness existing in all section appearance of a great host of

expressing an opinion as to the facts brought out. As to the prevalence of crime Judge Speer compared the large cities of this country with those in Europe, to sand wounded at Harbin

#### the detriment of the former. Cartoonist Seriously III

lan, the New York cartoonist, who is up to the present the army has sub-desperately ill at Cave Spring, Ga., sisted chiefly on the country. seems that the end is a question of only a short time. He is not now artillery fire, seems less effective. Originally the Russians did not consider the configuration. Rutherfordion, lic priest from Atlanta visited him ceal their artillery which the Japan-

## General Barnes Dead.

(B vthe Associated Press.) resident of the Astor Place Bank, cied of pneumonia in his nome in the Far East. Brooklyn today. Mr. Barnes was vice- "General Kuropatkin is not talka-

## Dr. Rankin Dead.

(By the Associated Press.) Cleveland, O., Nov. 28.-Dr. J. E. Rankin, formerly president of Howard University, Washington, D. C. died here today.

## NEW CORPORATION.

Crevlin-Van Dyck Company Organizd to Take Over Going Concern.

The Secretary of State yesterday issued a charter to the Crevling-Van Dyck Company, of Wilmington, to conduct a wook working, shop, manufacturing and ship build-

The incorporators are Messrs. J. L. Wilmington; Joseph P. Crevelin, of Auburn, and Francis C. Van Dyck, of

New Brunswick, New York. The authorized capital stock of the corporation is \$25,000 and it starts business with \$21,000 stock paid in corporation was formed prinprimarily to take over the going busi-Dyck, of Wilmington.

#### MANAGES TWO STATES. Mr. R. B. Hall Given Charge of State

of Tennessee. R. B. Hall, manager for

Carolina for the Germania Life Insurance Company, has just had his territory extended to cover the State of Tennessee in addition to North Carolina, Mr. Hall has offices already installed at Memphis and will estabille and Chattanooga as soon as he can find capable managers to be sent

to those points. The business of the Germania has as one of the most popular companies

remain in Raleigh, though he will give much of his time to getting business in Tennessee on the same progressive basis as it is in North Carolina.

If she is young and pretty, a lone

Forces Now Number 300,-000 Men.

#### WAREHOUSES FULL

M. Ravoir Gives a Graphic Pen Picture of the Armies in the Far East.

> Gen. Kuropatkin Posses a "Red Devil" to Race up and Down Line of Battle

(By the Associated Press.) Chefoo, Nov. 28.—General Kuropatkin is the possessor of a new twenty horse power automobile with which he is able to rush at high speed from one part to another of the line twentyfive miles long, according to M. Ravoir, who reached here today from Mukden. M. Ravoir spent three weeks with Kuropatkin, who wished to secure twenty automobiles specially constructed to carry ammunition speedily in emergencies. He will only use them in winter when the Manchurian roads are in excellent condition. On his first trip in the new automobile General Kuropatkin's only comment

"I have the advantage of General Shafter.

The Chinese now regard Kuropatkin and his machine with superstituous awe believing the latter to be an atrociously powerful specimen of the "foreign devil."

M. Ravoir said:
"The two armies lie facing each other, each having three fortified lines. The soldiers of both armies live mostly in caves, behind their trenches, (By the Associated Press.)

Jackson, Mics., Nov. 28.—Governor Vardamani today received a telegram from President Francis, of the World's Fair, stating that President Roosevelt had visited and greatly admired the South should hold conferences looking the World's South should hold conferences look Mississippi building while at the Fair to the enforcement of law and the ctick during the winter. The Russian Saturday. The governor wired a repunishment of the guilty. He severely forces now number 300,000 men. The criticised the Georgia law, which pre- cavalrymen from the Don district are ply containing the following: criticised the Georgia law, which pre-cavalrymen from the Don district are vents the judge who hears a case from superior to their Siberian comrades The for emrare intelligent, brave and active and have fine powerful horse "There are only a few hundred wounded at Mukden and thirty thou-

'I came out on the Siberian railroad which seemed to be doing its tremendous work smoothly. The warepases along the railroad between (By the Associated Press.) Mukden and Harbin are full of sup-Macon, Ga., Nov. 28.—Charles Nee- plies, which are almost untouched, as

> "The handling of the Russian artilese quickly disabled. sians handle and conceal their guns with periect science.

"The belief is general at Mukden that Port Arthur will hold out till New York, Nov. 28.—General Al-refleved, no matter how long the fred Cutler Barnes, aged sixty-two, much expected Russian second Pacific squadron may take to reaching

"The war is progressing as I wish."
"He still I'ves ir his railroad car and the light in his office is burning

night and day. It is commonly stated that the general nexer sleeps. dlicers are not surprised at being called to a conference at any hour of the night. The generad's only relation is at diner time when the ofilcers, who are his guests number scores. Wine is plentiful, but Kuropatkin drinks mineral water. Every Russion officer seems to have an un-limited supply of money, the governnent being lavish in its expenditures. "It is my opinion that General Kur-opatkin will never retreat from Mukden un'ess defeuted decisively, and I think the next battle will be a

#### Russian victory." JAPANESE FAIL.

Assault on Port Arthur Repulsed With Heavy Loss.

(By the Asociated Press.) St. Petersburg, Nov. 28 .- 7:25 p. m The War Office has receied inforvmation from Chefoo that the Japanese ness of the firm of Crevelin & Van Essault on Port Arthur Saturday was repulsed with enormous loss

## Snow Stops Fight.

(By the Associated Press.) St. Petersburg. Nov. 28.-General sakharoff today telegraphs as follows: "The Japanese atttack on Tsinkhetchen was checked by our artillery fire and the fighting ceased at 6 o'clock in the evening of November 27. At no point did the enemy advance nearer than within six hundred paces of our sh branch offices at Knoxville, Nash-a blinding snow storm caused a suspositions. In the midst of the battle tension of hostilities, and when the weather cleared at 3 o'clock in the afour right flank was observed.'

## Indecisive Fighting.

(By the Associated Press.) St. Petersburg, Nov. 28.-General

Kuropatkin under yesterday's date reports that the Japanese offensive movement which began November 24 hear the village of Tsinkhetchen on the front of the left flank, was of an ndecisive character up to 4 p. m., No-

vember 26, and was checked by the (Continued on Fifth Page.)