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FIVE CENTS

ON STAND ALL DAY

Rigid Cross-examination of Major Gillette

BY COUNSEL FOR DEFENSE

Considerable Progress Made in Greene-Gaynor Trial

Cross Examination Related to Contracts for River and Harbor Work and Cost to Contractors in Carrying Them Out—Today Will Probably be Consumed in the Further Questioning of Major Gillette—The Largest Audience That Has Yet Assembled Appeared at the Trial Yesterday.

Savannah, Ga., February 13.—Major Cassius E. Gillette occupied the witness stand throughout today's session of the federal court, appearing for the government, against Greene and Gaynor and undergoing a rigid cross-examination from Mr. Osborne of counsel for the defense.

Attracted by the prospect of an encounter of wits between Major Gillette and the examining attorney, the largest audience that has yet assembled for trial appeared. Among those present were many ladies and closest attention was given by the audience to the exchange of questions and answers.

The cross examination related to contracts entered into for harbor and river improvements and the cost involved to the contractors in carrying them out. Apparently considerable progress in the cross examination was made, but when court adjourned for the day it appeared that there was every prospect for tomorrow being consumed in the further questioning of Major Gillette. Major Gillette was asked about the scour of the channel of Savannah as a result of the improvements made by Greene and Gaynor but did not think the greater depth won through the jetties work was material. It was his opinion that the increase had been brought about rather by dredging than by the scour.

"The adding of one foot to the Savannah harbor channel was a minor matter, wasn't it?" asked Mr. Osborne. "No."

"It would cost half a million dollars to add such a depth, wouldn't it?" "It would cost about \$4,000,000 in the way improvements were paid for in Savannah harbor."

The matter of a contract in 1899 for improvements in the Savannah river at Augusta, was brought up by Mr. Osborne who showed by the witness that Hunter and Fry of Memphis got the award, and that A. J. Twigg, of Augusta, was a bidder. Then Hunter and Fry whom Major Gillette, did not know in the actual carrying out of the contract notified him that Twigg represented them in doing the work and that a certain Atlanta Bank would act as their fiscal agent in receiving checks in payment.

"So one contractor apparently turned over his contract to another who had been a competitive bidder?" "The successful bidder had the other do the work."

"Was there nothing in that to excite your suspicion?" "Nothing," said Major Gillette. "The prices were low and the work was properly done. I had a suspicion that Twigg had a corner on all the brush in the neighborhood the work was to be done and that Hunter and Fry found it desirable to make an arrangement with him."

It was apparently the idea of the counsel for the defense to show that something like the practice of competitive bidders being equally in collusion as claimed by the government, obtained in the operations of Greene and Gaynor under Carter, was not unknown under Major Gillette's administration.

Twigg continued the Hunter and Fry contract from which the latter withdrew shortly before its conclusion. Mr. Osborne tried to draw from the witness that this was through a "private understanding" Major Gillette had with Twigg.

Major Gillette objected to the term "private understanding," saying that it was a matter taken up with the chief of engineers and the secretary of war who approved. Major Gillette thought he had secured better results through this arrangement with the Twigg than would have been the case had bids been advertised for and the contract awarded.

Touching upon the 1902 contract "the big contract" of the Savannah harbor, Major Gillette testified that mattresses of type number one, cost 75 per cent more than number three. Mr. Osborne asked if he had ever constructed the mattresses. He had not but still knew approximately the cost. Major Gillette said it was his opinion that in 1884 loblolly pine could be secured for practically nothing so the cost of logs used in the mattresses was scarcely to be considered there. A laugh was elicited by the statement that "Colonel Meldrim (leading counsel for the defense) told me a few days ago that he himself had sold pine lands in Georgia at ten cents an acre." This being radically opposed to the point of value of pine timber

HOSPITALS FOR THE INSANE

Governor Glenn Makes Public Report Concerning Conditions at the Asylums.

(Special to The Messenger.)

Raleigh, Feb. 13.—Gov. Glenn's report concerning the state hospitals for the white insane has been given out. It relates facts concerning his personal observation, as well as regarding acts and management by official boards. There is recounted good management, dereliction on the part of the state to properly provide for its indigent insane, and the comparison of the cost as between the state institutions and those privately conducted. The board of directors is commended, and those who would detract from their worth, and the assailants of their official actions, deplored in strong terms. There is considered the number of applicants, and the truth that a great many would be forced into the jails of the state without such discretionary, as well as discreet action, had been observed by that body. In the end Gov. Glenn calls on all who have strictures to state to make such to him, and where reflection is indulged in by citizens and newspapers he requests that all such shall be placed before him, with names of those who are friendly or are strong with the power of a pull.

TWO MURDERS AND A SUICIDE

Three Violent Deaths Reported From New York Yesterday.

New York, February 13.—Two murders and a suicide, the latter growing directly out of one of the murders, were reported in New York today.

Mrs. Etienne, a young French woman, was found in her home on Grove street, suffering from three bullet wounds. She died soon afterwards. In an adjoining room, lay the dead body of Louis A. Faresin, a young Italian who had shot himself through the mouth. The woman had been shot with the revolver that lay beside Faresin, and the police say that the Italian murdered the woman and took his own life.

George Tulley, foreman of a gang of steam fitters, at work on a flat house on 135th street, was shot and killed in a fight with a man who later claimed to have been seeking employment. Michael J. Farley, a lather, was arrested on information furnished by workmen who witnessed the shooting. He said he shot Tulley in self defense, after Tulley had attacked him with an iron bar.

TO DEVELOP DRAMATIC ART

Well Known New Yorkers in Movement to Establish a National Theatre.

New York, February 13.—A movement by a group of well known New York men to establish in this city a theatre designed to foster and develop dramatic art, was described today by Charles T. Barney, one of the founders. He said:

"It is not our intention to call the new play house 'the national' theatre, as this would seem to imply a national endowment, but we hope to make it a national theatre, in the sense that it will be the founder's earnest endeavor by the standard of the performance and the spirit of the administration to place it in the same relation towards the dramatic art and literature of this country as is held by the principal national theatres of Europe."

The names of the founders—with several gentlemen yet to be heard from—are as follows:

"John Jacob Astor, Charles T. Barney, Edmund L. Baylies, August Belmont, Paul D. Cravath, William B. Osgood Field, George J. Gould, Elliot Gregory, James H. Hyde, Otto H. Kahan, James Henry Smith, James Stillman, Robert P. Van Cortlandt, William K. Vanderbilt, Cornelius Vanderbilt, Harry Payne Whitney, Henry Rogers Winthrop."

No Change in S. C. Dispensary Situation.

Columbia, S. C., February 13.—At a late hour tonight the Senate by a vote of 21 to 14 decided to strike out the enactment words of the Morgan bill. This bill which provides among other things, for the abolishment of the state dispensary recently passed the house of representatives by a substantial majority. The action of the senate leaves the dispensary situation practically as it was before. The legislature adjourns Saturday.

For Postoffice Building at Hampton.

Washington, February 13.—Representative Maynard, (Va.) introduced bills today appropriating \$40,000 for a postoffice building at Hampton, Va., and \$5,000 for a launch to be used in the Norfolk customs collections district.

that had been raised by Colonel Meldrim's associate.

Asked if he saw Greene, Gaynor or Carter at Cumberland Sound, when he made his first trip to inspect the work in progress there under the contract let by Carter. Major Gillette said he had not and that he did not know that Greene, Gaynor or Carter had seen the mattress which the witness had described as full of holes, a mass of brush and unworthy the name of mattress at all. His statement of three days ago that his walking through it was "like going through a thicket," was read to him and he was asked if he adhered to it. He answered that the language was perhaps "picturesque" but answering Mr. Osborne's word, not "exaggerated." What he meant, he said, was that he had sunk to his waist.

Court adjourned until tomorrow.

FORTIFICATION BILL IN HOUSE

Subject for Debate on Lax Methods of Expenditures

\$15,000,000 FOR PHILIPPINES

For the Establishment of a Naval Station—Mr. Smith Sees a Tendency Toward "Bureaucracy" in the Government Department Expenditures. Statement Read Showing the Treasury Deficit Nearly Wiped Out.

Washington, February 13.—The fortification bill held the attention of the house today and was the text for considerable heated argument, first over the lax methods of expenditures of public moneys and second, over the location of the proposed \$15,000,000 naval station for the Philippines.

Mr. Gillespie (Tex.), made an unsuccessful attempt to get into the record a statement of grievances of the coal operators and shippers of Pennsylvania and the Democratic leader, Mr. Williams inaugurated a filibuster over the question of adjournment as a retaliation.

Mr. Smith (Iowa), in charge of the fortifications bill, advanced the idea of vitalizing ten of the committees of the house charged with the supervision of expenditures in the various government departments. He advocated an amendment to the rules which will compel reports from these committees annually, these reports to be the result of investigation regarding government expenditures. He urged this as a preventive of "bureaucracy" towards which he saw a present tendency.

Mr. Smith said the sum spent for fortifications since 1898 was \$119,000,000. The plan of the Taft board contemplated spending \$106,000,000 more. A skeleton artillery organization to man these fortifications would cost \$50,000,000 annually.

Mr. Jones (Va.) and others opposed the expenditure of \$15,000,000 for the station at Subig Bay. Mr. Jones spoke of the local problem in the Philippines in case of war. He referred to a pending bill appropriating \$50,000 to buy 300 acres of coal land on the island of Batan and said it was a good business and strategic proposition. The government owned the remainder of the island, which is all coal land. The land to be acquired was adjacent to a splendid deep water harbor.

"Dollars, dollars, dollars," ejaculated Mr. Gaines (Tenn.). "I have been here all day and have heard nothing but dollars and expenditures. We are spending millions to make a great fort out of the Philippines, when only last week, the secretary of the treasury stopped forty checks in the custom houses of this country because we did not appropriate enough money to run them. Why do you do it? You are spending the people's tax money in the Philippines and making government officers climb up stairs."

"In order that the elevator man in the Nashville public building and my Tennessee friend may feel relieved," explained Mr. Grosvenor, (Ohio), "I want to have a statement read showing the treasury deficit nearly wiped out." A newspaper clipping giving the condition of the treasury was read. The house adjourned until tomorrow.

SHORT SESSION OF SENATE

Many Amendments to the Shipping Bill Offered—Vote on Pure Food Bill on February 21st.

Washington, Feb. 13.—Aside from the time required for the transaction of routine business the entire session of the Senate today was devoted to amendments to the shipping bill. The principal speakers were Messrs. Spooner and Allison, who criticised various features of the measure, and Mr. Gallinger, who was constantly on guard in support of the bill. Mr. Allison offered a number of amendments which, with others, will be voted on tomorrow.

Mr. Bacon offered an amendment striking out sections 1, 2, 3, and 4 of the bill, eliminating practically all the features of the measure except the provisions for aid in the expediting the mail service of the United States.

An agreement was reached to vote on the pure food bill on February 21. The Senate adjourned until tomorrow.

Miss Mary Lee Fatally Injured in a Runaway Accident.

Richmond, Va., February 13.—Miss Mary Lee, daughter of the late Colonel Richard Lee, and a near relative of General Robert E. Lee, was probably fatally injured in a runaway accident near Winchester today. She was driving a thoroughbred horse, which took fright and ran, and she was thrown out of the buggy, landing on her head and shoulders. Reports from her home near Boyce, Clark county, tonight, say there is little chance of her recovery.

Millikan's Nomination Confirmed.

Washington, Feb. 13.—The Senate today confirmed the following nominations: James M. Millikan, marshal for the western district of North Carolina.

GRAVES RESIGNS FROM NEWS

Outcome of Controversy Concerning Sale of Atlanta Paper

PURCHASE OF STOCK LEGAL

Order of the Court in the Proceedings Between Colonel Graves and General Manager Daniel—Mr. Graves Announces That Within a Short Time He Will Publish and Edit a New Daily, Backed by Large Capital.

Atlanta, February 13.—The controversy among the stockholders and officers of the Atlanta News Publishing Company was ended today by the resignation of Colonel John Temple Graves as editor of the News, and the dismissal of the court proceedings between Colonel Graves and General Manager Charles Daniel.

Colonel Graves gave the following statement to the press: "The order of the court today in the contempt cases seemed to make legal the purchase of stock of the Atlanta News by the railroads and their friends, and feeling it impossible to preserve my integrity of conviction and liberty of action under the present ownership of the paper, I voluntarily resign the editorship of the journal which I have guided from its foundation."

"I am able to definitely announce that within a very short time I shall publish and edit a new daily paper in Atlanta backed by large capital and ampler equipment than ever sustained a newspaper in the south. This paper will stand for the same principles which have given force and popularity to the paper I have left. Only in this instance it will stand for these principles permanently, because the new daily will have no stockholders, and my only partner will be a gentleman in whose character, motives and co-operative fidelity, I have implicit and well founded confidence. (Signed) "John Temple Graves."

MINERS AGREE ON DEMANDS

Scale Committee Getting Grievances in Shape for Presentation to the Operators.

New York, February 13.—The special scale committee of the anthracite mine workers tonight held its first meeting since coming to New York, at which it took up the demands to be presented to the operators at the conference on Thursday. The sub-committee, which has had charge of getting the grievances in shape for formal presentation to the employers, held an all-day session, but was unable to complete its work.

President Mitchell and the other members of the committee remain silent as to the exact nature of the demands to be made. It is understood, however, that the miners will put up a strong fight for a change in the methods of the board of conciliation. The mine workers are dissatisfied with the present method of settling difficulties, and say there will always be friction until a better method of settling disputes is found. There is a growing belief that if the operators will be liberal in granting concessions to the miners the demand for the recognition of the union may not be pressed.

FREIGHT WRECK ON SOUTHERN

Two Trains Hit Head-on Seven Miles West of Asheville—One Man Killed and Three Injured.

Raleigh, N. C., February 13.—A special to the Evening Times from Asheville, N. C., says:

Two freight trains hit head-on today on the Knoxville division of the Southern Railway, seven miles west of Asheville. One man was killed and three injured.

The accident was due to the misreading of orders, it is said, and the prevalence of a heavy fog which prevented the engineers from seeing the headlights until too late to stop.

A negro brakeman named Rutherford from Knoxville, was killed. Engineer Blair was the worst injured of the trainmen. His left arm is badly mangled. He was caught by this arm and suspended from the ground for more than two hours before the iron bars holding the arm were cut away.

The wrecking train crew built a platform under him on which his feet could rest and relieve his suffering while the iron bars were cut in two.

Schooner Damaged by Storm. Fernandina, Fla., February 13.—The four masted schooner George May, Captain Davis, which sailed from this port on Saturday, was today towed back seriously crippled, her forecastle badly damaged, sails riddled and jib-boom broken. She had anchored off the northeast coast above Brunswick and was in the teeth of the storm which blew all Saturday and Sunday.

Serious Famine in Northern Japan.

Washington, February 13.—President Roosevelt today took official cognizance of the famine which has grown to such serious proportions in northern Japan. In an appeal to the American people, the President requests that contributions for the sufferers from the famine be forwarded to the American National Red Cross.

LAST TRIBUTE TO DEAD KING

Body of King Christian Lies in State in the Slotskirke

GREAT CROWDS VIEW REMAINS

All Classes of People Took a Last Look at the Dead Sovereign—Removal of the Body From the Amalienborg Palace an Impressive Incident, but Lacking Almost All Ceremony.

Copenhagen, Feb. 13.—In contrast with the extreme simplicity of the death chamber at the Amalienborg palace the body of King Christian lies in state tonight in the Slotskirke, surrounded by the impressive majesty befitting a king. In contrast with the family group which had hitherto gathered in the Gartenschall, was a never-ceasing stream of black-garbed crowds, waiting in line for more than a mile outside the church, representing all classes of Denmark, passing the coffin to pay the last tribute to the dead sovereign.

The coffin lies on a white-catafalque at the head of which, turned toward the crape-hung altar, reposes the crown of Denmark. At the foot of the coffin are the sword of state and the sceptre, crossed, and surrounded tier on tier by some half hundred silver wreaths of white satin tabourets. Facing the coffin stand several high naval and military officers in full uniform with black wands and six others with halberds hung with crape, guard the dead monarch on either side.

The removal of the body from the Amalienborg palace at six o'clock this morning was guarded with the utmost secrecy, the late king's wish having been to avoid all ceremony. As the clock rang out the hour from the crown prince's palace, the old wooden gates of Amalienborg swung on their hinges and the guards stood at present, while the hearse, drawn by two horses with plain black trappings, passed through and crossed the square, followed by Princess and Prince Wildemar and Crown Prince Christian and their suites, all on foot. The progress through the dimly lighted street of the sleeping city was one of the most touching incidents attending King Christian's death. The procession chose the less frequented route and passed down narrow streets, but was swelled by workmen who were on their way to their daily toil, but turned aside with their bags of tools and bareheaded, followed until the Christianborg church was reached.

FATAL COLLISION ON L. AND N.

Two Employes Killed and Five Injured—None of the Passengers Injured.

Louisville, Ky., February 13.—In a collision on the Louisville and Nashville railroad near Maurice Station, Ky., a few miles south of Cincinnati, at 4 o'clock this afternoon, between the train which left Nashville at 8 o'clock this morning, and the local passenger train leaving Cincinnati at 3:40 p. m., two employes were killed and five injured. The passengers were shaken up, but according to advices received by the Louisville and Nashville officers none was seriously hurt.

The dead:

Engineer Peter Murphy.

Fireman Joseph Stout.

Injured:

Engineer James Mahorney.

Conductor P. J. Fitzgerald.

Flagman W. N. Miles.

Baggage-master R. W. Lockwood.

Negro cook in dining car.

When the southbound train from Cincinnati arrived at Latonia, the conductor was informed that the fast train northbound, was fifteen minutes late. The engineer of the southbound train believed he could make the siding at Maurice station, and proceeded to that place. He was just switching into the siding when the northbound train, which had made up the lost time, crashed into the southbound train. Both locomotives were badly demolished but none of the cars was damaged.

BEAVERS IS SENTENCED

Plead Guilty to Indictment Charging Conspiracy—Gets Two Years in the Moundsville Penitentiary.

Washington, February 13.—George W. Beavers, the former chief of the salaries and allowances division of the postoffice department today, pleaded guilty to an indictment charging him with conspiracy to defraud the government in connection with the sale of time recording clocks to the postoffice department. He was immediately sentenced to two years in the penitentiary at Moundsville, W. Va., where August W. Machen, Dr. George E. Lorenz and the two Groff brothers already are confined, the former for four years and the remainder for two years each.

The indictment to which Beavers pleaded guilty was the one charging conspiracy with former State Senator George E. Green, of Binghamton, N. Y. The six remaining indictments, four alleging conspiracy and two bribery, will be dropped. Under the agreement whereby Beavers pleaded guilty he is not to appear as a witness in any postoffice cases unless called by the defense.

VIOLATION OF LAW

Combination of Coal Carrying Roads Denounced

THEY REGULATE OUTPUT

Letter from Bituminous Coal Trade League Read in the House.

Efforts to Have the Letter Made a Part of the House Record Objected to by the Republican Floor Leader—Independent Operators Ask That the Inter-State Commission be Made the Final Court With Power to Stop Discrimination by the Railroads and Trust Combines.

Washington, February 13.—Representative Gillespie (Texas) made two unsuccessful attempts in the House today to obtain consent to have included in the House record a letter from the Bituminous Coal Trades League of Pennsylvania, denouncing the alleged combination of coal carrying railroads to control and regulate the output of coal in the United States. Both times Representative Payne (N. Y.) the Republican floor leader, objected, and Mr. Gillespie finally abandoned the effort.

The letter which is referred to as a petition for relief, was prepared by Frank C. Drane, secretary to the league. Mr. Drane claims there has existed for a long time a combination of the Pennsylvania railroads with the anthracite and bituminous coal mining and shipping companies to stifle all competition in violation of the anti-trust laws. He recites the grievances to which the independent operators are subjected through alleged discrimination, particularly the soft coal operators in Pennsylvania, Virginia, Maryland and says that the independent operators are helpless.

The letter asserts that the Pennsylvania railroad has established rules that only certain markets can be supplied by one region, and that the private cars of the soft coal trust have unlimited choice of market to ship coal in according to the demands therefor.

Mr. Drane says the soft coal always fixes the prices, which gives the trusts and railroads hauling coal to market an excess profit over and above the price the independent operator can get; that the hard coal railroads are all common carriers and miners and shippers of their own anthracite product; and that the railroads pool and regulate the price of hard coal by selling it direct to the dealer to be sold to the consumer at the prices fixed by the railroads.

"The cost to the consumer usually is at least one-third more than before the strike of 1902" he says. Continuing, the communication declares that nearly all of the soft coal properties have been acquired by the roads to the Atlantic seaboard, and it expresses the belief that the Pennsylvania and the New York Central now indirectly own the Pocahontas fields in Virginia, nearly all the stock of the Norfolk and Western and the New River Coal fields, and nearly all the stock of the Chesapeake and Ohio, an arrangement mentioned as being the only transportation means from the two fields to market; that the Pennsylvania and New York Central control the Baltimore and Ohio and the Philadelphia and Reading; that the Pennsylvania shipping intermediaries controls the Pittsburgh Coal Company and the Consolidated and the Fairmont and Somerset Coal Mining Companies, the last two named companies controlling all the soft coal fields on the lines of the Baltimore and Ohio, and that the Washburn controls the West Virginia Central while Senator Gorman, Senator Ethelins and ex-Senator Davis, of West Virginia, are joint owners of an enormous acreage of West Virginia soft coal and operate about all the mines along that road."

The letter alleges that the hard coal trust and the soft coal trust own or control all the fields in Pennsylvania and Maryland except perhaps a few small tracts operated by individuals on rent or royalty basis. Continuing it asserts that allied with the Pennsylvania stand first, the Fairmont Gas Coal Mining Company, shipping mostly over the Baltimore and Ohio, and that allied with and shipping only over the Pennsylvania are five big companies alleged to compose the soft coal trust of Pennsylvania.

"The Pennsylvania railroad," the letter alleges, "owns, controls or favors these five companies to the exclusion of almost every other individual or company operating bituminous coal in Pennsylvania. All that the independent bituminous coal operators want, it is stated in conclusion, is a provision in the new inter-state commerce railroad bill that will make the inter-state commerce commission the final court with power to stop discrimination by the railroads and trust combines."

Postoffice at Clinton Robbed. Jackson, Miss., Feb. 13.—The postoffice at Clinton, twelve miles west of Jackson, was robbed early today.

The safe was blown open, pieces of the safe going through the walls and badly damaging an adjoining drug store. The robbers secured \$1,000 in money, \$300 in stamps and \$1,700 in jewelry. No clue to the robbers has been found.