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GAYNOR BIDS BEFORE COURT

Erwin Tries to Connect Carter With Swindle

PARTNER OF PRISONERS

Contract for Work at Savannah Awarded as Result of Conspiracy. In the Contracting of Prisoners Attorney-Carter's Letter to West Virginia Official Submitted As Evidence.

(By the Associated Press.) Savannah, Ga., Feb. 2.—Upon the reopening of federal court this morning J. W. O. Sterley, chief clerk in the Savannah office of United States engineers, resumed the stand.

Mr. Erwin tendered blank specifications for the 1892 contracts explaining its relevancy in connection with the letter of Carter to the secretary of state of West Virginia, and asking for a certified copy of the charter of the Atlantic Contracting Company for which Carter had paid \$5 from his own private funds ten days before the bids on the contract were opened. The bids, he said, were to have been opened August 29, but the advertisement was recalled and the bids submitted returned unopened. Subsequently there was a new advertisement and an opening of bids on September 17, 1892. The conclusion he would show, he said, was that Carter was a partner in the Atlantic Contracting Company, in which the defendants were the holders of nearly all the stock. Carter's letter to the secretary of state of West Virginia, he said, was the earliest known connection of the officer of engineers with the contracting company.

Mr. Osborne's questioning of Mr. Sterley indicated that no understanding between Carter and the defendants was required for Carter to have known that the Atlantic Contracting Company was a bidder on the contract. The inquiry to the secretary of state Mr. Osborne held, was natural, and the specifications had been requested by the Atlantic Contracting Company, but Mr. Sterley did not bear out this view saying that the inquiry should have been made after the bids had been opened. No reference was made by the defense to the payment of the fee of \$5 from Carter's own funds.

Mr. Erwin drew from the witness that the Atlantic Contracting Company had not written for specifications and inferred that there was an understanding among the alleged conspirators that the bid of the company would be offered.

Mr. Erwin presented checks that he claimed connected Edward H. Gaynor, W. T. Gaynor, John F. Gaynor, and B. D. Greene with the "big contract" of 1892, saying that thereby he must have shown to the court the relevancy of some evidence submitted a few days ago and which the court had reserved the right to exclude unless such relevancy might be established.

SENATE TO VOTE ON RATE BILL.

(By the Associated Press.) Washington, Feb. 2.—The senate committee on interstate commerce today reached an agreement to vote on the various railroad rate bills on February 16. There are three measures being pressed for consideration, the Dooliver-Clapp bill, the Elkins bill and the Foraker bill. The measure which receives the largest number of votes will be reported to the senate as the majority measure. It is likely that both of the other bills will be given to the senate in minority reports.

DEATH OF WELL KNOWN ORGANIST.

(Special to The Evening Times.) Greensboro, N. C., Feb. 2.—News has reached here of the death of Prof. Alfred Palmer in New York. He came here from England two years ago, was organist of St. Barnabas' Episcopal church and was a musical genius. He married Miss Kate Stedman, daughter of Major Charles M. Stedman, a year ago, and was taken with consumption, and had been seeking restoration to health.

SAVED OFF HATTERAS

Three-Master Stranded This Morning

ADVANCE ON MARKET

(By the Associated Press.) Norfolk, Va., Feb. 2.—The three-masted schooner Maggie S. Hart, of New York—Capt. Foster and crew of seven landed in Surf Beach by Capt. Barnett of Inlet Station.

FARMERS TOMORROW

Speakers to Address Wake Cotton Growers

President Moore Enthusiastic Township Clubs, Reduction of Acreage and Not Pledging This Year's Crop in Advance.

The Wake County Cotton Growers Association will meet here in Metropolitan Hall tomorrow morning at 11 o'clock. This will be the first important session of the Wake farmers since the reorganization of the state association and the election of C. C. Moore of Charlotte, as chairman.

President Moore arrived here today and will be one of the speakers at the session. Among others who will address the farmers at this time are Governor Glenn and Chairman H. C. Dockery of the executive committee. Among the important matters to come up at this time will be a step towards the inauguration of township clubs. For this purpose a committee of five of the county's leading planters will be chosen.

The reduction of this year's acreage will also be considered. Most of the cotton growing counties propose to make a cut of 10 per cent, and it is believed that Wake county will adopt this course.

The farmers will also be urged not to pledge next year's crop. In some places efforts are being made to get farmers to sell their cotton to exporters for October delivery. The planters will be urged not to take this course.

OBJECTION EVEN TO ITS READING

(By the Associated Press.) Washington, Feb. 2.—The routine morning business being disposed of by the senate the calendar was taken up at a much earlier moment than usual and the first bill on the calendar being the statehood bill, the reading clerk began to read it. He had proceeded but a few moments when Mr. Teller, who opposed the bill, became interested.

TOBACCO FARMER IS ARRESTED.

(By the Associated Press.) Clarksville, Tenn., Feb. 2.—Considerable excitement has been caused throughout the dark tobacco region by the arrest on the charge of intimidation at Omestead, Ky., of C. E. Whitten, one of the most prominent farmers of that section.

COTTON NOT YET GINNED

Report, Which is Not Complete, Says 250,000

WON'T ACCEPT PRESENT SCALE

John Mitchell Says Miners Are Determined

MOVEMENT IS IN PERIL

(By the Associated Press.) Indianapolis, Ind., Feb. 2.—The coal operators and miners of the central competitive and southwest districts met in joint conference today in a final effort to reach an agreement. President Mitchell, of the miners, announced that the miners had refused to accept a continuance of the present scale.

On behalf of the operators, F. L. Robbins of Pittsburg moved that the present scale be affirmed for the year beginning April 1 next. Mr. Taylor, an Illinois operator, offered an amendment embodying a proposition that had been previously rejected. The amendment was lost, operators and miners voting solidly.

Mr. Robbins then took the floor. He said he wanted to go on record, as it seemed the future of the interstate movement was in peril.

Indianapolis, Ind., Feb. 2.—The joint conference of the coal miners and operators adjourned this afternoon after the chair had declared but a motion by F. L. Robbins, a Pittsburg operator, that the present wage scale be continued. Patrick Dolan, president of the Pennsylvania miners, voted the miners of that district in favor of the motion.

ALL DOUBT IS SET AT REST

Marriage Certificate Was Filed Today

MRS. YERKES IS HAPPY

Rev. Andrew Gillies, who married the couple, says it is absurd that either of the contracting parties was not in condition to know what happened.

(By the Associated Press.) New York, Feb. 2.—Doubt as to the marriage of Mrs. Charles T. Yerkes to Wilson Mizner was set at rest today by the filing of the certificate of the marriage with the bureau of vital statistics. In addition one newspaper quoted Mrs. Yerkes in confirmation. According to the paper, Mrs. Yerkes said today:

"All I can say is that I am happily married."

Wilson Mizner left his hotel today, and with his baggage drove to the Yerkes home on Fifth avenue. He said he might give out another statement on the marriage soon.

The Rev. Andrew Gillies, who performed the marriage ceremony, said today:

"There is one phase of the marriage that I wish to enlighten the public about in view of the fact that it has been insinuated from certain quarters that the ceremony was the result of a plot. In the first place, I have been a minister for more than ten years, and my reputation assures my friends that I would not take part in any religious or civil ceremony that was not entirely regular."

"It is absurd to say that either of the contracting parties was in no condition to know what was transpiring. Mrs. Yerkes was entirely herself. She was self-possessed, entered with zest into the spirit of the occasion and answered all questions without the slightest hesitation."

WON'T ACCEPT PRESENT SCALE

John Mitchell Says Miners Are Determined

MOVEMENT IS IN PERIL

Coal Operators and Miners, in Joint Conference Today, Failed to Agree on Wage Terms. Scale Now in Effect Not Being Satisfactory—Voted Solidly to Defeat Schedule.

WINTER BLAST NOW IN THE AIR

Cold Wave is Sweeping Down from the North

DANCING AROUND ZERO

Temperature in the Adirondacks Was Twenty-Nine Degrees Below Zero Today and New England and New York Shiver to the Bone—Freezing Weather Predicted for Atlantic Coast.

(By the Associated Press.) Malone, N. Y., Feb. 2.—The temperature today touched the lowest point reached in the Adirondacks this season. It was 29 below zero at Meacham Lake.

Plattsburg, N. Y., Feb. 2.—Telegraph reports from Adirondack regions today state that the temperature dropped 40 degrees there last night. Yesterday it was almost like April throughout the north woods, but today the thermometer registered from 12 to 30 degrees below zero.

New York, Feb. 2.—The mild weather of the last few weeks was broken today with the advent of a cold wave. The temperature began falling at midnight and the thermometer recorded 15 degrees above zero at 10 a. m.

Buffalo, N. Y., Feb. 2.—The coldest weather of the winter was recorded here today. At 8 a. m. thermometer registered one below zero. Although the sun was shining at 9 a. m., it failed to bring the mercury above the zero mark.

BUSINESS SUFFERS FROM WEATHER

(By the Associated Press.) New York, Feb. 2.—Dispatches to Dun's Review indicate that almost all sections have suffered from high temperatures and absence of snow, which restricted distribution of winter merchandise. Otherwise the situation is most satisfactory.

Bank exchanges this week at all leading cities in the United States are \$3,303,860,207, an increase of 28.3 per cent over the corresponding week last year and 83.3 per cent over the same week in 1904.

WEED SAID TO BE IN EUROPE

Alleged Original Wife Preparing to Sue

THIRD WOMAN ON SCENE

Planchard Finance Will Be Satisfied With Return of Her Saddle Horse and Payment of Note for \$500—Neither Wife Has Any Children.

ENGINE STRUCK DRAY

Horse Killed on North Harrington Street

WAGON DEMOLISHED AND HENRY APPLEWHITE AND COMPANION THROWN OUT. PUBLIC DRAY OWNED BY O. L. BETTS.

While Henry Applewhite, colored, was driving a dray across the railroad track on North Harrington street, near the Standard Oil warehouse, this afternoon the Seaboard Air Line north-bound passenger train, No. 38, struck and instantly killed the horse, demolished the wagon and pitched the two occupants out.

The railroad track bends just before it crosses this street and the locomotive, being in a cut lower than the ground level, was concealed from view. Applewhite had a negro with him riding in the wagon and neither of them seem to have heard the approaching train as they drove northward on Harrington street. The train was an hour late but was not running fast, since it stops two squares further at Johnston street. Applewhite and his companion had a narrow escape. They were thrown from the wagon and suffered some bruises but no bones were fractured.

The horse and wagon were owned by Mr. O. L. Betts, bookkeeper at the Cotton Seed Oil Mill. It was a public dray.

LEFT FOR KING'S FUNERAL.

(By the Associated Press.) London, Feb. 2.—Queen Alexandra and her suite left London this morning for Copenhagen, where her majesty will attend the funeral of her father, the late King Christian of Denmark.

GRAVES OUSTED TEMPORARILY

(By the Associated Press.) Atlanta, Ga., Feb. 2.—Col. John Temple Graves was temporarily removed from the position of editor in chief of the Atlanta News late last night by a petition of Charles Daniel, business manager and managing editor of the paper, granted by Judge Pendleton of the superior court.

JUDGE SAYS NO WHEN JURY ASK FOR BIBLE

(Special to The Evening Times.) Wilmington, N. C., Feb. 2.—After being out for twenty-four hours in the case of State vs. Thos. C. Lamb, the young South Carolinian charged with murdering a dissolute woman August last, is still unable to agree.

MILLER PARDONED BY PRESIDENT

(By the Associated Press.) Washington, Feb. 2.—The president has pardoned Midshipman Paul Miller, of Kentucky, recently convicted of hazarding at Annapolis naval academy.

BLOWN UP BY POWDER

Workmen in Dupont Mill Torn to Pieces

THE CZAR TO THE PEASANTS

Outspoken Mandate on Rights of Property

DELIVERED PERSONALLY

(By the Associated Press.) St. Petersburg, Feb. 2.—In view of the conviction prevailing among the members of the nobility, members of the senate and other classes which are in direct touch with the peasants that the spring will witness a renewal of agrarian disorders throughout the country on a more deplorable scale than ever before the emperor has addressed a plain outspoken mandate to the peasantry, setting forth that the rights of property are sacred and that the peasants will be violating his will if they attempt to enter into possession of private lands. At the same time his majesty has assured the peasants that with the co-operation of the national assembly he will institute measures for their relief.

The emperor's words were delivered personally to a deputation from the Kurak government and will be sent broadcast throughout the empire in the hope of counteracting the widespread belief prevailing among the masses of the peasantry that his majesty had ordered the distribution of all private lands and that only the landowners and local officials were hampering the execution of his will. The emperor on this occasion addressed the Kurak peasants as "my brothers" and talked to them in simple Russian terms capable of being understood by the most ignorant peasant. He said:

"I am most glad to see you. You must know very well that the right of property is sacred to the state. The owner has the same right to his land as you peasants have to yours. Communicate this to your fellows in the villages."

"In my solicitude for you I do not forget the peasants whose needs are dear to me and I will look after them perpetually as did my late father. The gosudarstvennaya дума (national assembly) will soon assemble and in co-operation with me discuss the best measures for your relief. Have confidence in me. I will assist you. But I repeat, remember always that right of property is holy and inviolable."

Count Eugene Troubaskoy who presented the resolutions of the marshals of the nobility to the emperor in an interview attributed the agrarian troubles directly to the revolutionary propaganda. He expects excesses in the spring when the peasants throughout the empire, in preparing to take possession of and sow private lands, will become wilder than ever because they will be unable to agree on a division of the spoils and will fall to fighting among themselves. The landowners now are practically dumb. The convocation of the national assembly is immediately necessary to enable the government to raise money abroad, set it on its feet and enable it to carry out its plans for the wholesale colonization of Siberia, which is an imperative measure of relief.

WON RACE, BUT GOT NO TROPHY.

(By the Associated Press.) Palm Beach Fla., Feb. 2.—Another disqualification of a winner in the motor boat regatta now in progress here was announced today by the regatta committee. Coe, the boat which won the fifteen mile event yesterday, was refused the trophy because there was only one man in the boat during the race. The race was awarded to the Alton, which finished second.

The regatta was scheduled to end today with a program of five races. The day's leading event was the mile race against time for the Sir Thomas R. Dewar trophy. This race was from a flying start, each contestant to be allowed the privilege of running two heats, and the trophy to go to the boat making the fastest mile. The trophy must be won twice in succession before becoming the permanent property of a winner. The other events in the schedule were:

A ten mile event for class "C," the re-running of the first event of last Tuesday, a five mile event for boats that have not won a cup, and a ten mile event.

WEST INDIES CUT OFF.

(By the Associated Press.) New York, Feb. 2.—Cable communication to the West Indies is cut off today beyond Jamaica. The cause of the interruption is not known.