

Green and Gaynor Case.

History of the Remarkable Case—Division of the Plunder—Pursuit of the Fugitives.

The arrival of John F. Gaynor and Captain Benjamin D. Green, in Savannah makes the story of their alleged crime of general interest. The events leading up to the present, as related some time ago by James Creelman in the New York World follow:

On April 24, Capt. Oberlin M. Carter of the United States corps of engineers, took charge of the improvement of rivers and harbors at Savannah, Ga., for which work millions of dollars had been appropriated. He so managed matters that the Atlanta Construction Company, consisting of John F. Gaynor, Capt. Green and E. H. and W. T. Gaynor, got control of the contract.

In May, 1887, Capt Carter was appointed military attache of the United States legation in London against his protest. Captain Gillette, the engineer officer appointed to succeed him in charge of the Savannah improvements, charged Captain Carter with a conspiracy to defraud the government in connection with the harbor contracts. In Dec. 1897, the secretary of war ordered the trial of Captain Carter by courtmartial. The charges were, roundly, that Carter drew the specifications for contracts so that no firm but the Atlantic Construction Company would dare to bid on the work, that inferior work and materials were accepted and that the surplus money above the actual cost were divided pro rata between Gaynor, Green and Carter.

DIVISION OF THE PLUNDER.

It was shown on the trial that these payments were frequent and that when they were to be made Captain Carter would go to New York, where he would draw a treasury order for the full amount, plus \$75, his expenses on the journey; that this check would be handed to Greene, and that within a few days Gaynor would hand his check for one-third of the payment, plus \$75, to Carter. The dates of the checks thus drawn correspond with Carter's visits to the Union League Club in New York, of which he was a member. It was estimated that Carter's share of the plunder amounted to \$22,528. Carter was found guilty and sentenced to a fine and imprisonment in addition to military degradation.

It took a long time to secure Captain Carter's punishment, and it was said that Gaynor and Greene were moving heaven and earth to hush the matter up. A few months after Carter's conviction Gaynor, through the use of money, was elected a member of the Democratic State committee from Onondaga county, New York. It was said that he was elected in the interest of David B. Hill, but went over to Richard Croker, thus giving Tammany control of the state committee.

In December, 1899, Gaynor and Greene and the other members of the Atlantic Construction company were indicted by the United States grand jury at Sa-

vannah for a conspiracy to defraud the United States of \$475,949.90. A few days later the indicted men surrendered to United States Marshal Shields, in New York. Then followed a long struggle against extradition to Savannah. Gaynor and Greene had appeared in Savannah and each had given a bond of \$40,000. Step by step the case was fought and when the United States Supreme court finally swept away all obstructions between them and their trial, Gaynor and Green fled to Canada, and their bail bonds were forfeited. It is said that the bondsmen were afterward reimbursed by the fugitives.

The two men went to Montreal first and then to Quebec. The extradition commissioner lived in Montreal and they wanted to get as far away from him as possible. They set themselves up in the Chateau Frontenac, lived sumptuously and hired lawyers.

Extradition Commissioner Lafontaine, at Montreal, issued a warrant for the arrest of the fugitives on the application of the United States. Then followed a dramatic event. On May 15, 1902, a party of detectives went to Quebec secretly with Commissioner Lafontaine's warrant, pounced upon Gaynor and Green, thrust them into closed cabs, put them on the tug spray, the swiftest vessel on the St. Lawrence, and started at full speed for Montreal. Gaynor shouted from the cab window to a friend on the street, "I am kidnapped!" A detective put his hand over the prisoners' mouth. But that signal was enough, and the cry was immediately raised by Mrs. Gaynor and her friends. The prisoners' lawyers went about Quebec declaring that their clients had been kidnapped. At once a boatload of Quebec officers was sent to overtake the boat and bring Gaynor and Greene back.

PURSUIT OF THE FUGITIVES.

The chase up the river was an exciting one, and the news spreading rapidly, the progress of the two boats up the St. Lawrence was eagerly watched. But the Spray was too fast to be caught. Realizing this, the chief constable of Quebec, armed with a writ of habeas corpus from Judge Andrews, of that city, hurried to Three Rivers on a special train, and setting out in a boat with his officers ordered the Spray to halt in the queen's name. No attention was paid to the challenge. Gaynor and Green were taken to Montreal, where Commissioner Lafontaine committed them to jail.

The high constable of Quebec hurried back to Judge Andrews on a special train and secured another writ addressed to the Montreal jailor, who surrendered the prisoners; and so Gaynor and Greene went back to Quebec on a special train; feasting their official rescuers on the way. So fearful were the exiles that they would be kidnapped again, they asked to be committed to the Quebec jail, where they felt reasonably safe from the Montreal and American detectives.

As the case developed, it was evident that Gaynor and Greene had laid their plans deeply. The law firm employed by them included in its membership the

premier of Quebec, a son of the deputy attorney-general, and the Canadian minister of justice. The son of the extradition commission of Quebec was also employed by the fugitives.

The prisoners' lawyers appeared before Judge Andrews and consented to the vacating of the writ. Thereupon other writs issued by Judge Caron, who had had nothing to do with the case, were served upon the Quebec jailor. As soon as he heard of this, Judge Andrews dismissed the writs and ordered Gaynor and Greene to be taken to Montreal.

Now came the final trick. Judge Caron issued a writ of certiorari compelling Commissioner Lafontaine, of Montreal, to bring all the papers in the extradition proceedings into the court at Quebec for review. Immediately afterward Judge Caron allowed the prisoners to leave the jail and go to live at the Chateau Frontenac. A few days later the prisoners declared in court, through their lawyers, that Mr. Erwin, the lawyer representing the United States, had offered to consent to a dismissal of the case on the payment of \$500,000. Mr. Erwin denied the charge. Greene admitted that he offered to pay \$200,000 in settlement. On August 13, 1905, Judge Caron discharged Greene and Gaynor and dismissed the extradition proceedings.

After this Mr. Erwin reported the facts to the United States government and charged that Gaynor and Greene has so interested officials connected with the administration of justice in Canada that the ends of justice have been defeated. The United States appealed the case to the privy council, whose decision sent the matter back before the commissioner.

Another legal battle was fought, and the fugitives lost again. Then they were brought back to the United States.

Condition of Cotton Crop.

Washington, Oct. 10.—The general summary of the cotton region weather crop bulletin issued today by the weather bureau is as follows: Over most of the cotton belt the weather conditions during the greater part of the week ending October 9 were favorable for picking cotton. Rains interrupted picking, however, during the early part of the week in portions of Texas, Oklahoma, Louisiana, Mississippi and Florida, and in local areas in Alabama and South Carolina.

Reports indicate that the general condition of cotton over most of the cotton area is but slightly changed, as compared with the previous week. A slight deterioration is shown in Florida and portions of the central and western districts, where insects have been very destructive, boll weevils being reported in increased numbers in Texas.

In Central Texas and in portions of Oklahoma, Alabama, Georgia and Florida open cotton was damaged by rain, which also caused sprouting bolls in portions of Mississippi and Louisiana.

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