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CLAUDE ALLEN GETS 15-YEAR VERDICT.

He Has Not Escaped Chair—Settles Plans to Try Him For the Murder of Sheriff Webb.

Wytheville, June 1.—After deliberating two hours and a half the jury in the case of Claude Swanson Allen this afternoon found the young man guilty of murder in the second degree for the killing of Judge Thornton L. Massie, and recommended that his punishment be fixed at fifteen years in the State penitentiary at Richmond. Sentence was suspended in order that the prisoner may testify in the other cases growing out of the shooting up of Carroll county court on March 14th, last, when the five persons met their deaths at the hands of the Allen clan.

Four Other Indictments.

The verdict rendered today does not mean that Claude Allen has escaped the electric chair. Four other indictments against him are pending, on any one of which it is possible that he be found guilty of first degree murder, and the prosecution, taking advantage of this fact, sprung a surprise on the defense when it announced that it would next go into the trial of Claude Allen for the murder of Sheriff Webb. The defense raised objection to this, and the objection will be argued and passed upon when court reconvenes July 1.

Venire to Report July 2.

Judge Staples gave instructions for the summoning of a venire to report on July 2, and remarked that he did not believe a jury could be secured from Wythe county. The prosecution immediately moved that a venire be summoned from another county, the defense objecting. All witnesses had been examined as to the probability of another jury being secured in Wythe county, the court ordered a venire of one hundred to be summoned from Washington county.

The case just ended was given to the jury at 2:30 this afternoon and the first ballot taken stood 9 for second degree murder, two for first degree and one for manslaughter. The second ballot was unanimous.

Just before adjournment Judge Staples ordered that the prisoners be taken to the Roanoke jail, pending the reconvening of Wythe county court and five of them left tonight under a guard of detectives. Byrd Marion did not accompany them, being again released today under \$1,000 bond.

Wytheville, Va., June 1st.—Breaking down completely when the jury had been out thirty-five minutes this afternoon, Claude Swanson Allen wept bitterly for some time, as his mother and sweetheart tried to console and comfort him.

It was the first great show of emotion that the sturdy young mountaineer had displayed since he had been on trial for his life.

In a short time, however, he recovered his composure and again looked forth with the same characteristic stolid demeanor.

The prisoner, his counsel, his mother and his faithful sweetheart were grouped in a solemn communion of silence as the minutes lengthened while behind a door, a few feet to their rear, was being settled for one of them the biggest question of his twenty-two years of existence.

Attorneys for the commonwealth, across from this little knot of men and women, sat quietly awaiting to see if their efforts to fasten on the defendant the guilt for the death of one who had but lately presided over this very court should succeed.

And over the entire court-room was an awed hush, a tense expectancy, that hover always around when the morbid come to see if a man shall be sent on his way to a legal death.

As Attorney R. Holman Willis, closing for the defendant's cause, just before noon, besought mercy from the jury for that forlorn woman of woe, whose husband has been torn from her by law's

stern demands, tears overcame Mrs. Floyd Allen, the prisoner's mother, and Miss Nellie Wisler, the fiancée of the young defendant. Other eyes, too, were wet with sympathy for these sorrow-laden women in black, who have drawn closer to the side of their loved one, as the end neared.

And so the trial that has been in progress for two weeks entered upon its last period when Attorney Joseph C. Wysor, chief prosecuting counsel, began his summing up to the jury the facts he claimed should condemn Claude Swanson Allen to the straps and electropedes of the chair of death in Richmond.

Willis Speaks.

Attorney R. Holman Willis, chief counsel for the defense, began the closing address for his side at 9:30 o'clock this morning. He launched into a series of attacks upon each of the commonwealth's most important witnesses, and in contrast, he lauded the virtues and reliability of every one of the defense's witnesses, who had testified to salient points.

Attorney Willis lost no opportunity to asperse Dexter Goad's motives in the case. Every chance he got he vented his spleen on the clerk of Carroll county. But Mr. Goad, sitting in the courtroom, a few feet away from Mr. Willis, watched the doughty little attorney with amused tolerance. Willis is only a few inches over five feet tall; Goad is six feet in stature, wherefore Goad kept his temper and only smiled.

Through his whole speech rang the praise by Attorney Willis for young Claude Allen in defending his father, as the defense views it.

"The law," he said, "didn't intend that a boy should be adjudged guilty of first-degree murder for shooting at a man when he believes that man is trying to kill or injure his father."

"And if he did shoot Judge Massie, in shooting at Dexter Goad, then he did not intentionally aid and abet any one to kill Judge Massie."

Attorney Willis then took up the instructions given to the jury by the court, and skillfully interpreted even the most important ones for the commonwealth so that they might rebound to the benefit of the prisoner.

Another Warning.

Again, as in Floyd's trial, the defense could not resist the temptation to herald in advance, in a warning note to the jury, that Joseph C. Wysor is an orator and an advocate to be regarded skeptically, because of his abounding ability. Attorney Willis urged the jurors not to be carried away in a gust of passion or inflamed by any high-sounding phrases, or blood-curdling epithets.

Stern Joe Wysor, a few paces away, tightened the muscles of his jaw as he jotted down references for his final address.

Mr. Willis concluded about 11:30 o'clock and was followed by Attorney Wysor, who closed for the commonwealth.

Wysor Begins.

Mr. Wysor began by referring to Judge N. H. Hairston's statement to the jury yesterday, when the attorney for the defense had said:

"What are you going to do when you catch Sidna Allen, if you convict Claude for murdering Judge Massie?"

Mr. Wysor ridiculed such an assertion as being an insult to the jury's reason. He said it was against all principles of law, and Judge Hairston knew it when he said it.

Then Wysor turned his attention to the chief point of defense—the plea that Claude was shooting to save his father.

"But what was Claude defending his father against?" demanded Mr. Wysor. "He was defending him against law, against the court, against the officers of that court! And yet he expects such a plea will save him when his father is doomed to death for that same resistance to that law!"

Attorney Wysor went into the commonwealth's theory of conspiracy by the Allens at great length. He detailed the evidence

adduced by both sides that might support his contentions and he arraigned his points in masterful fashion.

Claude Fired Three Shots.

Mr. Wysor contrasted the testimony of Judge D. W. Bolen and of Claude, the defendant. Judge Bolen said he saw Claude and Sidna advancing upon the court officers after Judge Massie had been shot down. Claude fired three or four shots toward the officers as he advanced, according to Judge Bolen.

Claude, on the stand in his own defense, said he had not fired after leaving the corner, but that he got behind his Uncle Sidna, when his own pistol hung.

Other strong points were brought out by Mr. Wysor in orderly and convincing fashion.

Going through the many ramifications of the case, deftly reaching out at the weak twigs of the tree behind which the defense would shelter the prisoner Attorney Wysor endeavored to prune them down so as to reveal Claude's form of guilt standing out from beyond that protection.

At length the chief prosecutor came to references to Claude's mother and sweetheart. He argued that it was no excuse for a man's crime because he had a poor, frail mother.

Not in Love.

"And I don't believe Claude was in love when he aided in shooting up a court!" declared Mr. Wysor.

"If he had truly loved this pure young girl he would not have engaged in such a slaughter."

"Judge Hairston asks you to acquit this handsome young fellow," as he terms him, so that he might marry. May heaven protect her from putting her innocent white hand in the band stained with murder!"

Through all this Miss Wisler stared as if transfixed at the robust lawyer who was arguing against her lover's life. Her eyes shone glisteningly but there welled forth no tears—perhaps the depths of her girl grief had already been sounded to the uttermost.

With a supreme exhortation to the jury to uphold the law and to vindicate the murder of that law's officers, Attorney Wysor closed his address at 1:10 o'clock. Court was adjourned till 2:30 o'clock.

Marion Released Again.

For the second time since Claude Allen's trial began, Byrd Marion, indicted jointly with the Allens, and Edwardes, for the Hillsville murders, was released under bond this afternoon. He left for home at 2:50 today.

Judge N. H. Hairston went on Byrd's bond, in the sum of \$1,000. Lack of sufficient evidence was given as the reason for allowing Byrd out in his case.

The release of Byrd was effected after the jury in Claude's case had retired, so that it might not be influenced by the occurrence in considering its verdict.

Agitation for Sunday Train.

Elkin, June 1.—About 20 years ago the North Western North Carolina Railroad was built from Winston-Salem to North Wilkesboro, and with the exception of one month in 1906 the road has never operated a Sunday train. In June of that year a Sunday train was put on but there was so much opposition to it from the ministers at Elkin and North Wilkesboro, backed by their respective congregations, that petitions were circulated and the officials discontinued the service although the venture was a success as many people from all down the line as far as Greensboro were glad to take advantage of the Sunday outing afforded and visit these mountain towns.

Citizens of these towns are again agitating placing Sunday service on the road and many have signed petitions to this effect. Counter petitions are being circulated by those opposed to Sunday trains on the road and the fight will be taken to the officials at Washington for settlement. What the outcome will be is problematical.

NOTED AIRMAN DIES.

Wilbur Wright Succumbs After Struggle With Fever.

Dayton, Ohio, May 30.—Following a grim battle against hopeless odds Wilbur Wright the noted airman, died at 3:35 this morning of typhoid fever. Death came after the distinguished patient had lingered several days in a semi-conscious condition, and with a burning fever.

Wright died following a sinking spell which developed shortly after midnight. The aviator was surrounded by members of his family which includes Bishop Milton Wright and Orville Wright, co-inventor of the aeroplane. The most alarming symptoms developed yesterday when the fever suddenly mounted to 106. At this juncture of the crisis, patient was seized with chills. The physicians were baffled by the turn of events. Patient was seized with typhoid May 4, while on a business trip in the east. He took to bed almost immediately, consulting Dr. Conklin. It was several days before the case was diagnosed definitely as typhoid. Throughout the early part of his illness Wright attributed his sickness to some fish he ate in a Boston Hotel. Arrangements for the funeral are incomplete.

One of First to Fly.

Wilbur Wright shared with his brother, Orville, the distinction of being the first to fly. Students of world progress have placed these names in the Hall of Fame in immediate proximity to those other pioneers of advancement, Gutenberg, Watt, Fulton, Stevenson, Edison, Bell and Marconi.

Wilbur Wright and his brother, natives of Ohio, began their experiments in flying when they were mere boys. Their father gave them a helicopter as a toy. The curious little instrument, when wound up, flew about the room over the heads of the delighted youngsters. Unlike most boys, instead of quarreling for possession of the toy they played with it together and set their precocious young brains to the task of first imitating and then improving upon the toy. As they grew up their interest in aviation was manifested in the building of kites, and finally in 1896, they took up in earnest the study of actual flight.

They were in the bicycle business in Dayton, Ohio. It was with the profits of this business that they defrayed their expenses of experiment. In 1901 they operated their first gliding motorless biplane. Exhaustive study of air pressure during the following winter was followed by more experiments in 1902, increased in 1903, and they then attached to the glider a gasoline motor of the type used in automobiles.

These later experiments were conducted at Kitty Hawk, North Carolina, and in lieu of a passenger they attached an anvil to the biplane for the first flights. On the 17th day of October, 1903, the machine flew with its inventor. Owing to their secrecy, the world doubted their success until four days later, when they publicly demonstrated their ability to fly, and proved beyond contradiction that two years before any other man had flown for one minute they had flown repeatedly for more than 20 miles.

With the perfection of the Wright biplane, Wilbur Wright went abroad, where he was hailed in every land as the ingenious Yankee who really could fly. In Paris, the native aeronauts served only as a background for his fame. Royalty and nobility honored him everywhere, but he remained the dry, secretive, centered, good-natured American, who was making a business of flying. After accepting contracts with several European governments for supplying airships for military purposes, Wilbur Wright returned to the United States to find that "the prophet without honor in his own country" was a world idol to be honored at last at home.

At the white house honors were showered on him and the army adopted him as savior of

the nation's prestige in aerial navigation as applied in military manoeuvres. Dayton closed up shop and held a three-date fete in honor of the two men who had been known to them years ago as "those crazy Wright boys."

But the Wright brothers were too busy to play the hero. They had machines to make for the world. They were making them in Germany, in Scotland, and in Dayton, and still they could not make enough of them.

Their business grew and they quit flying. They taught others to fly and soon the countryside of every state was billed with flaming announcements of aviators in thrilling exhibitions in the Wright machines.

Wilbur Wright always counseled caution in flying. It was a science with him; not a circus performance. The heavier-than-air machine he had perfected had a valuable purpose in world advancement and his hopes for it were most sanguine, but at the same time conservative. The main purpose of the biplane, he said, would be to make short trips speedily; that it would never carry more than two or three passengers or engage in freight traffic, he did not believe.

The Scriptures on Success.

Charlotte Observer.

"Take good heed therefore unto yourself."—Joshua 23:11.

It was a great assemblage of people that day, when Joshua, old and feeble, but still the leader surrounded by the elders, the judges and the officers, spoke words concerning the future of the Nation. The old leader has been with them in prosperity and in adversity. He knows their strength and their weakness. He reminds them of the promises of God. They are to receive the promised land for an inheritance. They are exhorted to continued confidence and courage.

Then he warns them. They are to remain a separate people. They must remain true to their God. God will continue to bless if the people are steadfast. He speaks the words, "Take heed therefore unto yourself."

Men and nations must take heed to self. If the highest round of the ladder is to be reached, if the dream of youth is to be achieved, if ambition is to become realized, then, certainly, careful thought must be given to self. Self is the all-important matter. Few men and women today think of self rightly. Few realize the power of a rightly lived life.

Right start is important. This is the season of the year when many boys and girls, after years of study and preparation, are starting upon the race of life. It is the commencement season, the beginning of active life. Yesterday, life was a dream. Today, it is a reality. Yesterday, life was a thought. Today, it is a responsibility. Before lies the future—unknown and unmeasured. The true man—the man true to the responsibility placed upon him by his Maker—looks out upon the future and determines to prepare himself in the present for the best use of his opportunity.

Buildings worthy of the name demand good foundations. Millions of money and years of time were expended at Hamburg, a great harbor. Piling was driven deep into the sand as a base for the masonry. So with life. The beginning is the important period. Success is the result of effort and follows individual will. Failure is criminal and follows inaction.

In the battle of life—Be Somebody. Education is training self. The best self is trained, mentally, physically and spiritually. Mind, body and soul prepared for life's effort. True character, pure principle and right heart must underlie the cultured brain, and with it all there is needed a clean, strong body.

This is a busy age. Every man is in a rush. Hardly time to consider self, but it pays to stop and prepare self for the struggle. It is time well spent. It is an age of doing things. Doing them quickly, doing them well. Ambitious, anxious, straining every

muscle and every nerve, man strives to win in the race. The ambition is laudable—but, you must be somebody first. Take heed to yourself.

The song must be in the heart before it can be on the lips. Before you can act the truth of the Golden Rule it must have possessed the heart. Jesus taught that men should not be over-anxious concerning clothes, food and money. Necessary are these things, but the more important thing is that man should "seek first the kingdom of God and His righteousness." Righteousness signifies right living.

Greatness is the anxiety of manhood today. Can a man be both good and great? As if in reply to the question come the words of William McKinley, and who questions both his goodness and his greatness? "It is no longer a drawback to the progress of a man to be a Christian. Instead of a hindrance, it is a help. There was never a demand as now for incorruptible character." Gladstone was great and Gladstone was good.

Take heed to yourself. Jesus in the heart, and the product is goodness. Make the thought pure and the life clean; and with self prepared and controlled, with energy and determination, success in life is assured.

Floyd Raves and Fights in Cell.

Wytheville, Va., June 1.—The tiger in old Floyd Allen raged rampant again today.

Hardly had day broken this morning when the Carroll mountaineer began to rave in his cell in the Wythe county jail. So violent did he become that the special guard was obliged to call several Baldwin-Felts detectives in the jail to quiet the prisoner.

Though Floyd gave the detectives a strenuous few minutes exercise, he was finally brought around to a saner view of things. Floyd kicked out with his unbroken leg, struck out with his fists at the guards and made things disagreeably active in the little cell.

Dr. P. B. Green, who was called in to attend old Floyd, said that the prisoner would probably suffer no serious results from his tidal wave that surged over his self-control, and flooded his heart with torrents of rage. At the whole the caged mountaineer raved, he uttered no articulate word but muttered and chortled, and choked, with passions he could not stem.

W. G. Baldwin, who arrived here this morning, said the prisoners except Claude would be taken to Roanoke jail at 2:50 o'clock this morning.

He ascribed Floyd's outburst this morning to the old man's stated aversion to returning to the Roanoke jail.

Rattlesnake's Bite Fatal to Two Craven County Tots.

Greenville, N. C., May 31st.—News reached here of a distressing occurrence just across the Pitt line in Craven county, in which three children of George Adams lost their lives. His wife was doing some washing in yard while the children, the eldest 8, and the youngest 1-year-old played nearby.

Noises were heard from a nest occupied by a setting hen, when Mrs. Adams told the eldest boy to go throw the fowl off the nest. The boy went and without looking, put his hand into the nest to catch the hen. He quickly withdrew it crying that she had pecked him. The second son volunteered to throw off the hen, but soon screamed, that he had been pecked also. The mother rushed to the nest and found a rattlesnake in it and to her horror, saw that the snake had bit ten both the boys.

In her anxiety to do something for the older boys, the 1-year-old child was forgotten for the time being, and when she returned for it, found that it had climbed over in the tub of water and was drowned. The two boys, that had been bitten by a rattlesnake died the same day, and all three children were buried together in the same grave.