Smith-Pollard Trial

(Continued from Pape 1.)

told ner that Sam Pollard had shot him to death without giving him any show and that it was a cowardly trick. Mrs. Smith further testified that her husband was not intoricated on the night of the shooting.

The clothes worn by Smith the night of the tragedy were brought into cour identiled by Mrs. Smith and turned over to the jury.

The counsel for the defense did no cross examine Mrs. T. H. Smith.

Col. Albion Dunn of the prosecuthis came the next witness for the more witness to place on the stand but owning to thee death of a relative defense. that he could not be present this af ternoon and requested that they be

allowed to call him as soon as he could be present. With this the prosecution rested its

case and the witness for the defense, were called as sworn.

The First witness for the defense Dr. D. R. Tayloe, of the Washington Hospital, Washington, N. C., who tes in the presence of Mrs. J. P. tified. That T. H. Smith arrived at Taylor Smith told him that he his hospital between 4 and 5 o'clock Sunday morning January 18th. That when Smith reached hospital he was in a conscious and rational state. That examined and found that he had 2 wounds one in the left side of the about 10 minutes prior of shoot. abdominal region and the other in the ing Smith gave him a drink at victims body was a 32 calibre steel if Pollard had been talking about ball.

S. M. Pollard takes stand at 4:10 P. M. whose testimony was: That him and remarked that they could he was 42 years of age, born in not both stay in the same town Farmville, lived there until 18 years with out one taking a whipping old went to U.S. Army served eleven or a killing. Then Smith said that years, 3 months, was honorably discharged from army. Aiter if an dthat upon this remark he it an dthat upon this remark he this he returned to Farmville this was took an automatic pistol from his 1901 where he has liven since then, hip pocket and put it in his right Marrien Delphia L. Belcher October 30 hand overcoat pocket. That they 1902. After went to Farmville in then went up the street and that

Traveling salesman for about two he leaving Smith in front of baryears. Then ran a grocery store for 1 1-2 years. Then ran a bar room to 1908. Been running drug store since utes he heard someone call for bar closed. That he has known T. some body to go in drug store. H. Smith for about ten years. That, upon arriving there, he

On Saturday night January 17, he found Pollard and Smith clinchwas in his drug store conducting his business. That a few minutes prior to shooting. Perkins, Flowers. Howto shooting. Perkins, Flowers. How- That wit the aid of W. C. Asard were in store. Perkins was clean kew, F. S. Corbitt and T. C. ing floor. Flowers standing by large Turnage he separate the two men window in front. There were 5 or 6 and that he took a pistol from him." playing a punch board which was on Smith right hand overcoat pock The show case parallel with window, when Smith came in door Pollard was stand Smith to be carried out and that that her husband took every precauing by this sho case, he turned to put Smith drew his pistol and fired tion to avoid Smith and that he re- ing following the homicide that he some money in cash register and then at Pollard and cursing him at the mained at home most of the time went to cigar case to wait on some one same time, remarked that if he One of the ooys, asken Smith to come could take him with him that he of threats made by Smith were brough drug stores in Farmville, that one of the Pollard trial, the first witness betake a punih. He said "No Im not tak would die content. That he then to him. She further testified that on the druggists had killed the Chief of ing S. V. Joyner, who testified that he would die content. That he then to him. She further testified that on the druggists had killed the Chief of ing S. V. Joyner, who testified that he would die content. ing any chances tonight." He then walked toward the rase where Pollard Smith hit him and that he said band came home and told her the that he bet that Pollard did it, for That he knew Pollards general repu was standing. Pollard said 'Smith I no. That he then went to the told you not to come in my place, so home of Smith an helped to unget out." Smith said I wont go any dress him and then he went where. Upon this Pollard shot him down town and purchased two wanted him thy could find him at or he would die with his shoes on. Fearing that his own life was endannight shirts for Smith and went gered. As soon as the shot was firet gered. As soon as the shot was first back to Smiths house. He was smith grabbed the barrell of Pollarns, then asked by Mayor Turnage pistol and Pollard caught him around the neck with the left arm. While he complied with the Mayors rethey were in he clinrh the gun fired quest, the second time. That Will Askew Rob cam in and he called him to come and take Smith right arm to keep Yhi l u4fi bH.s'T mfmafwaftwbg gk from time he entered until shot was fired. Says to have had four notices before. Pollard was in barber shop and Askew asked how hog case was coming on. Pollard said that Cox was for the defense testified that about gettiny up something but that if he 10 o'clock Saturday night, Janproved all knew about Cox that he would have his licenses. Cox came in and told Pollard he wanted to see him. Asked Pollard what he had been saying about him. Pollard said that Smith had told him (Cox) Smith said yes and h e was man enough to back it up. He claims that Smith cursed him and later Cox told him that he would give him five dollars to bring Pollard went to the cigar show Yerurton down there. Pollard told him that he had better bring him him. Cox called him a damn liar, Pol lard got up; Smith grabbed him by arm and carried him out. Pollard told him that he had treated him wrong. Smith tolt him if he nidnt go home he would kill him.

late Monday evening for money and returned. Tuesday went down for a this afternoon short while, sade Wednesday. Thurs-day came to Greenville, Friday went

».SATURDAY

MONDAY

hunting. Saturday moning went to convened at 2:30 and immediately fol store at 1:30, came back home at 5 lowing the assembling it was decided o'clock. Back to store at 8:30 and re- that as this court would not finish its took a recess until 9:30 this morning. Daniels would not be there to begin ed himself.

court Monday. W. O. Flowers, of Wilson, brother This morning's session of court of L. E. Flowers, a former witness

convened at 9:30 and the defendant, testified that he saw his brother on S. M. Pollard, took the stand for Sunday night following the homicide cross examination by the prosecution and that his brother told him the fol-This was finished shortly after 12 lowing: "That he was in a drug store Col. Albion Dunn of the prosecu-tion announced hat they had one o'clock and immediately following in Farmville standing near a punch board when Chief of Police Smith came in and walked down the center

of store. Pollard advanced to the Vance Belcher, who testified that cigar case which was near the mid he had known Pollard for several dle of the store. That he heard Polyears and that he had known Smith lard say "Get out of here, we have al for about the same length of time. ready had trouble and I don't want That he had heard of the trouble you in here." That Smith stepped between Smith and Pollard at the forward toward Pollard at the same barber shop on Saturday night, Jan. time reaching for his revolver. That at this moment Pollard fired." 10th. That on Sunday, Jan. 11th,

The next witness was Mrs. S. M. Pollard, who testified ,that she was began shooting off his lip again or married to S. M. Pollard October gave Pollard a damn decent curs-ing the night before and that Pol living, 1 dead, the youngest was 2 lard had cold feet and wouldn't months old last Monday. That Po'resent it. He further states that lard came home Saturday night, Jan. on Saturay night January 17th, uary 10th and told her of the follow- ington at the time of homicide. That ing incident which hapened in the he was in Farmville on Tuesday prior ing Smith gave him a drink at high meters hep. "That he and W. C. to homicide and that he saw Smith if Pollard had been falking shout Askew were in the barber shop talk. That Smith seemed to be mad and that ing of a hog case which he had in he asked him what was the trouble him. Belcher said no. Smith said court and that he remarked that he and that Smith replied that Pollard Pollard had been talking about would come out alright unless Cox didn't want to treat him right and tried to get up somethig agoinst him, that he was going to kill him if he and that if this was done that he didn't begin treating him right and could get old man Yelverton down that during this time he used there and prove things on Cox that profane language in regard to Pollard. would cause him to lose his law li-That he went into Monroe Cameron's turned. Cox asked Pollard what he that Smith was going to kill him the one that had told him this. He ing some one stopped him on the joined in the discussion and Pollard had killed the Chief of Police there. him. He then went a part of the way home with him and told him if he did was not surprised for Smith had told

> The witness also testified that durhome.

to serve as police that night and in Farmville the night of the homi-

this interval Smith drew a pistel from lards store where he found Pollard stating that he was afraid of him. standing by the cigar case. He asked That at this time his father F. G mained until a few minutes after shoot case until the middle of this week, the Pollard what had caused the trouble James came in the office. That Pol- Farmville. That he had known the deing. Went home and told his wife sheriff should telegraph the sheriff and Pollard told him that he had shot lard retold the barber shop affair and ceased T. H. Smith. He is questioned what had happened. After this, court of Pamlico county stating that Judge Smith in order to keep from being kill said that he wanted protection and by defense and jury is asked to retire Court adjourned until 9:30 this

order to open the door and that at.

morning. Monday Morning.

Todays session of court convened this mrning at 9:30. W. C. Askew again took the stand

for further cross examination. The next witness to testify this morn ing was J. R. Hinson who stated. That he had known both the defen dant and deceased for years. That on Monday morning prior to homicide he was in Farmville and that Smith got up on wagon with him and told him that he had tackled one of the big bullies the Saturday night before ad chat it was Sam Pollard. That he ther told Smith that he and Pollard would have some trouble if he didn't watch out. That Smith said that if Pollard

30, 1902. That they have 5 children kill him and that Pollard knew he out with him. would do it too. The second witness was J. W. Eason who testified that he lived in Wash

cense. That Smith who had been place to collect a bill and that he listening to the conversation went out told someone in the store that they and in a few minutes he and Cox re. had better tell Pollard to watch out had been saying about him. Pollard That he went back to Washington and told him that he knew that Smith was that on the following Sunday mornturned to Smith and he and Smith street and asked him if he knew the then passed curse words and then Cot druggist in Farmville, saying that he rose to strike Cox. That Smith grab. That he asked them if it was Pollard That he then replied that he not go on that he was going to kill him hat he was going to kill Pollard and that he supposed that Pollard had

gotten Smith instead. John Woolard testified, that he lived that her husband took every precau- in Washington. That on Sunday morn by sometime tomorrow morning, then blooded murders he had ever known saw Eason on the street in Washing that during this time many reports ton and asked him if he knew the went to Pollard and asked him if the night of the homicide her hus. Police there. That Eason remarked whole story of the tragedy and he Smith had told him that he was go. remarked to her that he did it in ing to kill Pollard and that he reself defense and that when the officers marked that he had better watch out The next witness was Monroes

his general character or reputation. Church L. Perkins testified that he Cameron, who testified that he had That he had known the deceased, was working in Pollards drug store been living in Farmville for many years. That he was in the market cide. That on Saturday night, Jan- business in Farmville. That during uary 17 about 10 o'clock he was clean- this time he had served eight months had. Robert Little the next witness ing up soda fountain, Pollard was on the roads for selling liquor. That for the defense testified. That he attending to the punch board where on Tuesday prior to the homicide Easlives near th town of Farmville. several boys were playing. Smith en on came to his home and told him him from getting out his own pistol. That on Saturday evening of Jan tered and walked down toward rear. what Smith had said about the affair at that time that Smith was attemp. reputation to be bad. That he knew again any way. Better include the following conversation with door and upon nearing the door he drew a revolver from his left hip pock drew a revolver from his left hip pock et and fired at Pollard. Pollard states that he kept eyes upon Smiths hands that he two went to a didn't want you around here, get out." nearby stables where they took Smith stepped forward toward Pol-a drink. That Smith told him ard trying at the same time to get that he had cursed the man out his hand in his pocket as if for a pis- Smith then said that he had cursed pened between him and Smith on the art. fired. Says to have had bolt holess doring the week that said that he had cursed the matr out going to kill him. Names of men furnishing information J. L. Bornette be was going to kill him yet. That to kill him yet. That the barrell of the revolver, the barrell of the said that he had cursed him and sinth of the pollard just like he would have killed out and that he had cursed him in spocket as it for a plot pollard just like he would have killed out and that he had told him to star he was going to kill him yet. That he was after during the barrell of the revolver, the wort to tell Pollard him he was no the he was no the J. W. Moore and Cameron Smith had made personal threat Saturday Farmville and that he heard of at this time he ran from the store and and that Pollard was not at home and G. T. Tyson, to G. T. Tyson, testified. That he lived stand in the Fagas Joyner case. That that he did not return until the two that it was not until Saturday morning about 7 miles from Farmvill. That he Judge Whedbee had refused to accept tha he saw him. That he then told knew Pollard and knew his general Smith's evidence. That Smith be-W. C. Aşkew, testified that he knew him what Eason had told him and character and reputation to be good. came angered and as he left the That he had also known the deceased court room that he heard him make cautioned him to be on the look out. Smith and knew his general character threats against Judge Whedbee. The fifth witness was George E. Moore whose testimony was that he and reputatiin for being a violent and dangerous man to be that of a bull lived in Farmville since 1965. That lived in Farmville and that he has known both defendant and deceased dog. W. R. Hinson, testimony. That he ter to nine on the night of the homifor several years. That he had been in regard to a case which Pollard hal neighbor to Pollard for about ten was in Farmville Saturday evening, cide. That he again saw Smith about years and that he knew Pollards repu- January 17th. That he saw Smith be tween seven and eight o'clock in front tation to be good. of the barber shop and that Smith was a coward and was not game. That J. B. James testified that he knew both defendant and deceased. That he took a drink with him. That he then he wouldn't give him a show. That held a conversation with Pollard a

Court takes a recess until 2:30 Belcher started out with left arm in cursed him and threatened to kill him. Farmville and has been since last James further testified that he asked August. That he knew the deceased, Pollard if he was afraid of Smith and T. H. Smith. That on Saturday night Saturday afternoon session of court his left hip pocket and fired at Pol. that Pollard related several instances January 17th, he went to Smith's bedlard. That he then returned to Pol. setting forth Smiths violent character,

> that he wanted to see Judge Daniels before questions are answered. about it. That F. G. James suggested a peace bond but that Pollard saying Pollards drug store. States that he that this would do no good as Smith made the map from a survey of store would break this the first time he go, and marked locations of those in to drinking.

Chester Smith testified that he knew both defendant and deceased. That he nation it is stated by the witness that was in barber shop on Saturday night two locations on the map were changed prior to homicide. That Pollard was under the direction of Harry Skinner, getting a shave. That Cox told Pol. for the defense, stating that the local lard that he wanted to talk to him. tions as first put down on the map to That when Pollard got out of chair he be incorrect. went over and sat down by Cox. Cox Peyton Atkinson test field. That he

said "Pollard, you have been talking knew S. M. Pollard and knew his gen about me." Pollard said "my friend eral character and reputation to be told me." Pollard said that it was good. That he had known the decease I Smith. That at this time Smith got T. H. Smith and had known his general out of his chair and walked up toPol- chracter and reputation for being a lard and told him that he was the one violent and dangerous man to be had. that told him that he was man enough to back it up. That he cursed Pollard With the testimony of two defense and took him by the arm and went

Dr. Wm. Fountain testified that about four or five years ago he was testimony was concluded and at 3 coronor of Pitt county. That he held o'clock Hon. F. C. Harding, attorney an inquest over the body of Simon Ty- for the state opened the argument son a negro said to have been shet of the case. There are about seven by T. H. Smith. That the wound was lawyers for the defense and five for of the spine. That Smith was indicted the prosecution. It was argued upon and turned over to the Sheriff. That by the counsel and the Judge that a few days later Dr. Joyner had body each side should have seven hours of negro taken up and examined and in which to finish their argument. stated that the wound was more than three in ches from the spine as had been stated by coronor. That both he ably get the case Friday morning. and Joyner went before the Grani Jury and that Grand Jury did not find a true biil.

TUESDAY

ng up to the adjournment for the noon day meal the trial of S. M. Pollard progressed rather slowly on account of several points made by with uesses and upon which the counsel for both the defense and prosecution argued at length. In each instance the the one this is the way they spent a majority up and that as officers of the laws it of the forenoon, going to and fro.

Afternoon

At the convening this afternoon the same practice was taken up. It is thought, although it is not confirmed that all testimony will be heard thought it to be one of the most cold immediately following will come the argument by the actorneys.

At 2:30 yesterday afternoon court knew both defendant and deceased. tation to be good. That he knew that Smith killed Simon Tyson and that bad.

J. H. Manning, testimony. That he knew S. M. Pollard but did not know sation being a direct contradiction of Smith, and knewhis reputation for be. Daniel's ardered that the testimony ing a violent and dangerous man to be given by Vance Belden be stricken That he was present when from the records. Smith killed Simon Tysin and that R. E. Belcher further testified that Tyson was shot in the back while run- he had known Pollard several years ning from Smith. That he was told and knew his general character and

side and examined his wound.

J. C. West testified. That he is a carpenter. That he had worked in

W. C. Dresbach is given map of store at time of homicide, under directions of Perkins. On cross exami-

WEDNESDAY

witness after the convening of court this afternoon the giving in of all

It is thought that he jury will prob-

Tuesday Afternoon

R. E. Belcher testified that he was a Justice of the Peace and that he knew defendant and had known de-From the opening of court this more the 1913 that Mr. Abernethy asked him and Smith why they did not break up the gambling and liquor selling by Pollard in Farmville. That he had been in Farmville the night before and that the ladies of the town had notified him of the same and had rejury retired to an adjoining room, and quested him to have such broken was their duty. That he has talked to Pollard since he has been in jail. That since the homicide he had held a conversation with Vance Belcher and that Vance Belcher stated that he of. That Vance Belcher stated that he talked to Smith a few minutes before homicide and that he said that at

that time Smith seemed to be in a not think that Smith come into Pollard's store expecting to hurt him. He stated that he thought that if such had been Smith's intentions he would have gotten Pollard before the defendant fired his gun. This conver-

the testimony of Vance Belcher given on the stand a few days ago, Judge

bothered him that he was going to

Wednesday, Burnette told that Smith said that he cursed Pollard out on Smith and that upon this Friday J. W. Moore came with same

Did not go to store Sunday-went taken from the store.

the tragedy then.

L. E. Flowers, the next witness uary 17, he was in Pollards drug the deceased. That he married the store in Farmvilse, playing a punch board. That there were a number of hovs engaged in this. that Smith entered and that one of the boys asked Smith to have a punch and that he said that he in court. Pollard said that Cox was had some few words and that that Smith said "I shall not" at some difficulty. That during the after the same time reaching his right noon he asked Pollard about the afand Pollard drew his pistol fired gone to the barber shop to get a shave Smith went out and that in a few min-

lard's pistol nd that the two clinch drug store. He went to the store that he knew that Smith had told him

men had been separated.

the defendant. That he also knew sister of Mrs. Pollard. That on Saurday night prior to homicide that he went to barber shop and met Pol. lard and they started a conversation

did not want to punch any. Smith making himself busy about the case walked on down the store. That and that he thought that he would have to get old man Yelverton down case. That Pollard and Smith there to show Cox up. That he went

on home and that on Sunday morning few days prior to homicide. That he \$7.50 on a note he had collected for Pollard sai "Get out of here" and he heard that Smith and Pollard had was in his office and Pollard came in him from getting his pistol out on Saturday night January 17, he had said in regard to Cox. That Chief

and he heard two shots fire and saw utes that Cox came in and asked what

miles from Farmville.

and said that he wanted to talk to there is one witness who can not be asking what he meant that Pollard here until tomorrow and that they re him both as mayor and as a lawyer. hand for his pistol and taking a fair and Pollard told him that Smith step forward toward Sollard. **That Smiths overcoat prevented** home cursing him all the way. That sing a hog case. That something was serve the right to put this witness on when he does arrive. With this the general character and reputation to

State-

W. E. Murphy, testifies. That he and that he was going to kill him yet. Smith grabbed the barrell of Pol a crowd rush up in front of Pollard's he had said about him. That he said since December 10, 1913. That he day that he cursed Pollard out Satur day and that he was afraid to resent then went on down the street and Smith's right hand. That he did so. shook his fist at him and said "! am Smith at this time was sober and that and that Pollard took part in the it and that he was going to kill him heard the third shot go off. That That Corbitt took the pistol from Pol-yet. The law, I'll take the law in my own he did not seem to be in a bad humor game. That beer was served and upon returning Smith had been lards hand and that Belcher took hand." That Smith took him by the at this time.

J. E. Barnhill recalled that he term of court when Smith was on the

A. C. Monk, testified that he had Smith was in his store about a quar

half an hour after he had been shot That he heard Smith say that Pollard went to his hime which is a few at the depot Smith again said that

he was a coward. That he ordered Skinner for the defense, states that him out of the store and upon his mention. That he had known Pollard for several years and knew his be bad. That for the last few years Smith had not been considered a verr violent and dangerous man.

has lived in the town of Farmville J. H. Thorne testified that he at present lived in Greene county but knew the deceased T. H. Smith. That previous to this time he lived in Farm ville. That he had been in Pollards (Continued on Page Eight.)

Smiths pistol from him. That he and arm and they went out and that Smith Dr. Miseley. That he is a doctor in