State Library.

The Charlotte Observer.

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LOCAL AFFAIRS:

JOS. P. CALDWELL, Local Editor.

CHARLOTTE MARKETS.

[*Corrected Daily.*]

Cotton Market.

THURSDAY, February 26, 1874

Inferior,.....6@10
Ordinary,.....11¼
Good Ordinary,.....12¾
Strict Good Ordinary,.....13½
Low Middling,.....14@14½
Market quiet and steady.
Sales to-day, 150 bales.
New York market closed steady for spots. Quotation unchanged.

Country Produce.

Bacon—Hams, per lb	15 to 16
" Sides,	9¾ a 10
" Shoulders,	8½ a 8¾
" Hog Round, Country,	10½ a 11½
Beeswax—	
Butter—Choice, Country,	20
Brandy—Apple, N. C.,	$ 2 a 2½
" Peach,	2½ a 2½
Corn—White,	85 a 90
" Mixed,	80
Eggs, per dozen,	12 a 15
Flour—Family,	4½ a 4.75
" Extra,	4 40 a 4 50
" Super,	4 00
Fruit—Dried Apples,	
" " Peaches,	
" " Blackberries,	
Fowls—Chickens, spring,	22½ a 26
" Turkeys,	75 a 1
" Ducks,	25
Hides—Dry,	
" Green,	
Lard—Good,	1 1½ a 13
" Common,	
Meal—White,	90 a 95
Oats—Black,	65 a 70
" White,	65 a 70
Onions	75 a 1.00
Peas—Pure clay,	80 a 85
" Mixed,	70 a 75
Potatoes—Irish, per bbl,	5 a 5½
" Sweet,	$1
Tallow,	7 a 8
Wheat—Red, per bush,	
" White,	
Wool—Tub washed,	
" Unwashed,	

N. B.—Home products quoted at the buying price. All others at the selling price.

New Advertisements.—We refer our readers to the new advertisements appearing in to-day's paper:

Attention Produce Buyers—G W Chalk & Co.

The Directors of the North Carolina R R were to have held a meeting at the Company's Shops yesterday.

A thief broke into a freight car of the Air Line Railroad yesterday morning before daylight, and stole therefrom a sack of coffee and bag of sugar. No arrest.

There were three members of the press from abroad at Statesville on Thursday:—Capt. W. F. Avery, of the *Piedmont Press*, Mr. Chesterman of the Richmond *Whig* and *Enquirer* and the Petersburg *Index and News*, and the "lokil" of this paper.

Hon J H Wilson.—This esteemed gentleman is attending the Supreme Court in Raleigh. On his motion, the Court adjourned Wednesday in consideration of the funeral of the late Rev R S Mason, D. D., and the death of Mrs W H Battle, wife of Hon W H Battle, a former Associate Justice of the Court.

Death of Col. R. M. Kerr.—We regret to announce the death of Col R M Kerr of Rock Hill, S. C. He died at Concord Wednesday night, after a brief illness occasioned by exposure to the weather while in pursuit of a stolen horse. His wife and a broken-hearted mother were with him in his last hours.

The remains passed through Charlotte on the way to Rock Hill, where the last funeral rites will be observed to-day.

THEFTS.—R. M. Miller, Esq., had a set of harness and a bridle stolen from off his premises, a night or two ago. The police recovered the bridle, but the harness is still missing. On the same night the kitchen of Col. John L. Morehead, was again entered. The thief took what eatibles he could find and left.

Charlotte Citizens at the Capital.—The Raleigh *Examiner* notices the presence of several of our prominent citizens in that city, in the following facetious style:

Col Clement Dowd, of Charlotte, is at the Yarborough.

Col Hamilton C Jones, of Charlotte, a son of "cousin Sally Dillard" is spinning his yarns at the National.

Gen Robert D Johnston, of Charlotte, the youngest brigadier in the confederate army is bivouacing at the National.

W J Yates, Esq., editor of the Charlotte *Democrat*, passed through the city yesterday on his way to his native home, Fayetteville.

Appleton's Journal.—The last number of this valuable journal is on our table It contains the third paper of the "Wild North Land." Chapters XXIX and XXX of the novel by Christian Reid entitled "A Daughter of Bohemia." "A Good Hater" by Edward Fawcett. "A Summer Tour in High Latitudes," by Alexander Delmar. "A Disappearing Type." "Circe," by Barton Grey. And a large amount of interesting and interesting reading matter under the head of Miscellany, Editors' Table, Literary Art, Music, National and Statistical Science and Invention, Contemporary Sayings and The Record.

Daily Charlotte Observer.

VOL. XI. CHARLOTTE N. C. FRIDAY, FEBRUARY 27, 1874. No. 1,549

THE STATESVILLE TRAGEDY.

The Evidence Adduced on the Habeas Corpus Trial.

The public will perhaps remember that, on yesterday a week ago, Jos D Elliott, who slew Chas T Neal, at the St Charles Hotel in Statesville on Wednesday, the 18th inst, was taken before Judge Mitchell on a writ of *habeas corpus*, sued out by his counsel. Judge Mitchell then decided the case to be bailable, and fixed the bond at $4,000. Before the bail was obtained, however, the prosecution asked that another hearing be granted, as the State had additional evidence which it desired to introduce. A re-hearing was granted, and on Wednesday, the 25th, the case came up again.

The trial was had in the Court House in Statesville, and notwithstanding the very inclement weather, a very large crowd had assembled and all the Court House, excepting a few of the back seats, was packed with people.

A short time before 11 o'clock the prisoner was brought into Court by Deputy Sheriff Watts, and took a seat by his counsel, Col R F Armfield. Maj J W Wright is also employed for the defence. The prosecution was represented by Messrs J M McCorkle, R M Allison and D M Furches. After a few preliminary remarks by Mr Furches, the State called to the witness stand, J L P Roueche, an engineer on the A T & O R R.

Mr Roueche testified: I was at the St Charles Hotel on Wednesday night. When Mr Jo Elliott started out of the hall, (this just after some words had passed between deceased and de'endant) I followed him. His father was coming out of a little room in the rear part of the house, when Jo said to him: "If you don't take Charlie Neal out of the room I'll kill him." His father then went hurriedly into the room, and Jo followed him. I remained in the entry. Directly I heard the report of a pistol and went in. Neal was standing in front of the fire. I don't remember seeing Jo or his father; I was sick and had been taking some medicine; was excited; I remember seeing Dr Mott. Presently Neal began sinking down. As he fell he said to Jo, "you did it cowardly."

Cross examined by Col Armfield: I was some 6 feet from Jo and his father when Jo told his father to put Neal out. I was in the hotel before supper when Neal said he was going to whip Jo and his father if they footed with him. I think Jo heard him. Charlie also said something insulting to Jo; I don't remember what it was, but Jo replied, "you know everything." After this he stepped out. I saw Neal once have a knife, about 7 or 8 weeks before this shooting. It was about 10 inches long—also saw it about 4 weeks before. He was then showing it to a friend, and remarked: "I could use a man up with that." I don't know whether Jo went armed or not.

When examined by the Court the witness re-iterated what he had previously said.

By Mr Furches: I didn't see Elliott have a pistol when he spoke to his father.

By Col Armfield: My impression is that when Mr H C Elliott went into the office to put Charlie out, that Jo followed immediately.

Warrock Reid, col., testified: I came here from the city of Richmond, Va., on the 28th of last August, with Mr C T Neal. Was a workman in the tobacco factory of Mr McElwee until within the past 2 months when the tobacco season ended, and then I became a waiter in the St Charles Hotel. Was at the dinner table on Wednesday; was out and in the room; would go out to fill orders and come right back. Mr Neal, Mr Jo Elliott Mr Biggs and his wife and Mr Butt were the only persons in the dining room whom I remember. Heard Mr Neal say to Mr Biggs [as though in reply to a question], "Yes, I'm back, though they did have it reported that I had run off with $10,000." Heard Mr Neal ask Mr Elliott, "Jo, do you love me?" to which Mr Elliott replied, after pausing a moment and looking at Mr Shields, "yes, I love you." Mr Neal then left the room, saying as he went out, "Well, I've got nothing against you, Jo." Mr Elliott said, "well, I'll be better soon." Heard no swearing at the table. I know Mr Neal has had a knife. Never knew him have a pistol. The knife measured about 6 inches in the blade. I saw him have the knife about three days before he left for Virginia; he was writing to his father and the knife was lying on the table beside him; I put it in his trunk [Witness here described the position in which he laid or threw it in the trunk.] I saw it in the trunk the day the remains were carried off. It was in the same position in which I had put it, in the bottom of the trunk, on top of some letters and papers. Didn't see the knife between the two times spoken of.

Cross examined: I never belonged to the Neal family. I told Mr and Mrs Elliott that Mr Neal's father had sent me here to sorter look after him and care for him. Told them I was sorry I had come to North Carolina; didn't tell them why.

J W Biggs testified: I was in the dining room on Wednesday at dinner, and when Mr Neal came in said: "Hello, Charlie, you back?" He replied: "Yes, I'm back, though they said I'd run off with $10,000." I remarked, "well, if I had that, believe I would run off myself." There was no cursing at the table while I was there. I left the table before the others. Didn't see Mr H C Elliott in there. Saw a difficulty some time ago between Bob Howell and Charlie Neal. In reference to Howell's having filled Neal's hat with trash, Neal said to Howell "no gentleman would have done as you have." Howell said to him, "You are a G—d d—d liar," and at the same time drew a pistol and cocking it brought it to bear on Neal, who caught his arm, and throwing it aside, drew a knife from his breast and said: "Bob, I could cut your heart out but won't do it." Neal could have killed him. Have known him since he first came to Statesville. That was the only time I ever saw him with a weapon.

It was asked here of witness if he knew Neal's character? The defence objected. The State said the question was competent and the Court so ruled. Witness said his character was good; he had the character of an honorable gentleman.

Cross examined: It was a dirk which Neal drew on Howell. He had the character of a man of spirit.

R M Allison testified: I got to the hotel after Mr Neal was laid out, and stayed in the room with the body until the Coroner came, except at such time as I went to the fire to warm my feet. During these absences I left Mr Barkley in the room. It was some time after the shooting before I went to the hotel.

J C Barkley, Jr, testified: I got to the hotel just after Mr Neal was shot, and stayed with his body until the Coroner came. I was absent from the room about ½ hour, leaving Mr Allison there. I saw no one take any arms from the body. I got there before Neal died; he was lying on the floor.

Dr J J Mott, testified: I was there when the shooting took place, and got to Mr Neal just as he began to fall. I saw no bowie knife on him, nor was any taken from him. I went with him to the room and instructed Mr Barkley to stay there.—When the elder Elliott came into the room he walked rapidly up to Neal, and putting his hand on his shoulder from behind said: "I want you to go out." Neal got up facing him and said "I reckon not."—Nothing more was said; they both spoke in more than ordinary, but not angry tones. Jo walked in very rapidly fronting Neal, and after the shot walked backward to the opposite wall. Neal stood still for perhaps one quarter of a minute. As he began to fall he said, "Oh, that was cowardly."—The elder Elliott seemed astonished. While he and Neal were talking, each had his hands on the shoulder of the other

Cross examined: I thought Jo walked back as if expecting a fight. [Dr Mott also said something which the reporter did not catch, about himself doubting for a moment that Neal was shot.]

J H McElwee, testified: Mr Neal came here on the 27th or 28th of last August.—I never heard anything about him being a desperate or violent man, and never knew him to carry a weapon. He was in the factory, managing the hands and often had off his coat. I frequently put it on when starting down town, and never found any weapon in it. Had good opportunity of knowing whether or not he carried arms. Warrock Reid came here with Mr Neal, I have always looked on him as trustworthy. His character is good. I regard Jo Elliott as dangerous.

Cross examined: Mr Neal was looked on as a man of courage. I think he formed the character of a man who would not use weapons in a fight except in self defence.

J F Van Pelt: I have known Mr Neal since he came here. Don't think he formed the character of a dangerous man; his character was good as a peaceful man, and his general character was good. As I understand the sentiment of the community, Jo Elliott is looked on as reckless.

Cross examined: Previous to a certain occurrence Jo. Elliott bore the character of a peaceful boy. Charlie Neal had the character of a man of courage, a high-toned gentleman, and one who would resent an insult.

J L McKee testified: Have known Mr. Neal since last August. His character was that of a quiet, peaceable citizen, not that of a desperate man.—Young Elliott, so far as I know, is peaceful though sometimes dissipated.—Never heard Neal charged with carrying weapons. I had a talk with him before he went off and after he returned, advising him to quit drinking. Didn't look on him as a dissipated man, but he had been drinking a little. His father had told me to look after him.

S. A. Sharpe testified: Have known Neal since he came to Statesville. His character was good. The character of Joseph D. Elliott was good.

W. D. Sprague testified: I was in the hall of the hotel. Mr. Neal and the elder Elliott were standing before the fire, and I think they had hold of each other when Jo. came in rapidly, presented a pistol and fired. Neal and the elder Elliott were not in a difficulty.

Cross examined; There was no struggle between Neal and the elder Elliott. I was in the hall fifteen minutes before the shooting and no one was quarreling then.

J. H. Hill: I knew the character of Elliott up to within the past year. He went to school to me. His character was good and would compare favorable with that of any boy in town.

P. C. Carlton testified: Jo. Elliott's character is good; he is peaceful, industrious and sober.

Edward McLaughlin testified: I heard Mr. McElwee say in the hotel that night that he had put a stop to Neal carrying arms.

W. M. Walker testified: I roomed with Mr. Neal during the month of January. I think he was in the habit of carrying a knife. Never knew him to carry a pistol.

Cross examined: Have seen him have a knife on his person once or twice. I generally went to bed first and got up first—When I got up I nearly always found the knife on the mantel-piece beside my pistol. Never saw it there in daylight or at night.

This closed the testimony. It will be observed that nearly all of the evidence was in behalf of the State. The examination was conducted by Mr. Furches and the cross-examination by Col. Armfield.—Quite a number of witnesses who had been examined on the first trial were not introduced Wednesday, their affidavits being taken instead. The most important evidence, we believe, which was incorporated in an affidavit, was that of a Mr. Culbreth, who swore that Charles Neal told him he intended to kill Jo. Elliott, at the same time showing him a knife. The account of the homicide as first published in the OBSERVER was correct in the main, there being only one mis-statement in it, to-wit: That the slayer approached his victim from behind. There were also some slight inaccuracies as to expressions used by the different parties, but these are of small moment.

Mr. McCorkle opened the case for the State. He first pointed out to His Honor the fact that he is now sitting as a committing court, and in a very different capacity from that in which he is accustomed to preside. From this he passed to a definition of murder, and its different degrees.—He claimed that this was murder in the first degree, and proceeded to argue the case upon the questions of law and evidence. He quoted from the authorities frequently, and argued elaborately to maintain his points. His speech was one of great force and power, and all of his positions clearly laid down and discussed.

Col. Armfield followed for the defence. He claimed that there were extenuating circumstances in the case; that Elliott was in fear of his life at the hands of Neal.—Neal had said he would kill him and Elliott had every reason to believe that he would carry his threat into execution.—Further, that young Elliott believed and had probable cause to believe, when he stepped into the hall, seeing Neal and his father each with his hand upon the other, that Neal had designs upon the life of his father, and hence fired at his shoulder in order to disable him from using a weapon and thus carrying out a design which he had reasonable cause for believing Neal entertained. Armfield held that the case was bailable; that in a matter of this kind bail was a right which prisoner can demand of a judge, and not a favor which should be begged. The speech was ingenious and able, characteristic of the gentleman who delivered it. It gave in every sentence the evidences of a master mind, and did credit to this gifted son of Carolina.

Mr. Furches, for the State, concluded the argument. The reporter was unable to hear this speech and, hence, can furnish no synopsis of it.

At its conclusion the crowd pressed forward to hear the decision of Judge Mitchell, and silence spread over the large audience when he spoke. His Honor said that the evidence brought in since the first trial (Roueche's) threw a new light on the subject, and that he could not now find it consistent with his duty to release the prisoner on bail. His Honor spoke at some length giving his reasons for refusing bail.

Mr. Elliott was then remanded to jail, to await trial at the next term of Iredell Court. At that time Gov. Vance will assist in the defence, and other gentlemen, in addition to those already employed, will be retained by the family of Mr. Neal for the prosecution.

TROUBLE IN THE CAMP.—Mr. H. C. Turpin, who was alluded to in these columns yesterday, was brought before Mayor Davidson yesterday morning again. After the case had been heard, the Mayor discharged Mr. Turpin from custody. As the crowd left the Mayor's office, some words passed between Mr. F. A. McNinch and Mr T. and a personal collision followed. While the two were engaged, Mr. McNinch received a powerful blow on the jaw bone; several of his teeth were knocked out and the jaw bone was broken in three places. The parties were separated and Turpin fled. He was captured, however, about an hour later, and taken before the Mayor, and committed to jail.

Dr. Gibbon was called in and administered to the wants of Mr. McNinch. His injuries are very severe.

Death of Dr. John W. Moore.

[Special Correspondence Daily Observer.]

WILLIAMSTON, Feb'y 19th 1874.

Dr. John W. Moore, one of the most prominent citizens and best physicians in this county, committed suicide yesterday by taking sixty grains of morphine at 1 A. M., dying at 1 P. M. Cause—dread of an attack of mania-a-potu. I myself have heard him say while under the influence of liquor that "he expected to have delirium tremens, and should he do so he was going to kill himself." What a terrible warning.

New Advertisements.

Attention, Produce Buyers.

JUST arrived and for sale,
200 sacks wheat bran and shorts,
200 sacks family and stock meal,
500 sacks Flour, all grades,
500 sacks corn,
1000 pounds mountain buckwheat flour.
feb 27 G. W. CHALK & CO.

WHITE SHAD!

WHITE SHAD are now within the reach of all. The poorest person in Charlotte can buy them for less money than it takes to buy meat. They are not the bony fish that are generally sold, and that invariably choke the little babies; but a fish having no bones except those that are prominent, and a blind man can eat them without experiencing any inconvenience whatever. We are selling them from 50 cents to $1.25 per pair, according to size.
REEL & WHITTY,
"Blue Front," Trade St.
feb 26

REAL ESTATE FOR SALE.

WE offer for sale on good terms several unimproved building lots in this city. This presents a fair opportunity for the investment of capital.
GRAHAM & NASH,
Agents and Attorneys.
feb 26.—t f.

Mr. T. D Walsh, Capt. J. L. Deaton, W. M Stitt, Iredell Jones, and B. J. Massey are with J. S. Williamson & Co., and would be glad to see their friends.
feb 25. (Democrat copy.)

R. P. DAVIDSON,
DEALER IN
Fashionable Furniture, Spring Beds and Mattresses, Wood and Metallic Burial Cases and Caskets, &c., &c.

HAS the largest stock in the city, and the lowest prices.

Just received some beautiful Black Walnut Chamber Suits, Cheap Cottage Suits, Wall Pockets and Brackets, Mantle Mirrors, Looking Glasses and Glass Plate.—200 Cheap Cottage Bedsteads just arrived, also, 100 dozen Rattan and Split Seat Chairs, a first rate article. Call and examine.
Charlotte, N. C., Feb. 20th, 1874.

J. A. Williams,
with
C. S. HOLTON & CO.
Come to the Cheapest Store under the Sun,

GREEN Corn, Salmon, Lobsters, Tomatoes, Oysters, Deviled Ham, Peaches, Preserves, Sardines, Pine Apples, Chow Chow, Pickles, Oranges, Lemons, Bananas Large Northern Apples, Candy at wholesale, Peanuts at wholesale, Nuts of every description. Articles in Groceries and Confectioneries too numerous to mention. When you can't get anything anywhere else come to
feb 25 C. S. HOLTON & CO.

RATES OF ADVERTISING.

One Square one time	$1 00
" " two days	1 50
" " three days	2 00
" " four days	2 50
" " five days	3 00
" " one week	3 50
" " two weeks	5 00
" " three weeks	6 50
" " one month	8 00

Contract Advertisements taken at proportionately low rates.
Five Squares estimated at a quarter column, and ten squares as a half column.

THE HOME MACHINE

TOOK the premium at the late American Institute Fair, and as the decision of Fairs is a criterion of merit in this country, this makes the Home beyond a doubt the best machine in the United States.

ALL MACHINES

have their merits and demerits; and all have selling points when represented by their special agents.

From a longer experience in this business than any other dealer in North Carolina, and keeping on hands all the kinds of Machines that I have been offered in this market, I can truthfully say that I believe the HOME to be the best for

FAMILY USE

that I have ever seen. It has the best shuttle tension, runs light, makes little noise simple in construction and durable in all its parts.

LABOR! LABOR!

OUR office is prepared to furnish laborers of any nationality, and in any number desired, upon reasonable notice. Our contracts with our correspondents, requires a small amount paid in advance. Full particulars made known upon application. We intend to cooperate with the State Board of Immigration.
GRAHAM & NASH.
feb 23.—3 w, d & w.

100 BARRELS POTATOES,
Early Goodrich,
" Rose,
" Mohawks,
" Pink Eye,
For sale by A. R. NISBET & BRO.
feb 14
Democrat and Home copy.

HORSES AND MULES.

FOR sale at Wadsworth's Sale and Livery Stables. The finest stock always on hand. Persons wishing to purchase horses or mules will find it to their advantage to call on
J. W. WADSWORTH.
jan 15 tf Charlotte, N. C.

LEWIS' Pure Lead, Window Glass, Putty and Linseed Oil.
W. R. BURWELL & CO.

PURE CIDER VINEGAR for sale at
jan 17 SCARR'S DRUG STORE.

FABER'S Rubber Head, Eagle, Office and Faber's Lead Pencils, at
jan 21 PUREFOY'S.

35,000 ENVELOPES, just received, at
jan 17 PUREFOY'S.

Prepared Cocoanut.

AN Elegant article for Pies, Caramels, Puddings, &c. For sale at
dec 11 tf Scarr's Drug Store.

FOR SALE.

FINE FARM near the city of Charlotte containing about 200 acres. Can be had upon good terms by applying soon to
feb 13 GRAHAM & NASH,
Attorneys, Court House.

The Farmers' Savings Bank
—OF—
MECKLENBURG COUNTY, N. C.
CHARTERED BY ACT OF THE LEGISLATURE.
Organized November 4th, 1873.

CAPITAL PAID UP,.....$ 100,000
CAPITAL AUTHORIZED,.....$ 1,000,000

BANKING HOUSE, TRADE ST., CHARLOTTE, N. C.,

Is prepared to transact a general Banking Business. Cash advanced on Cotton, Manufactured Goods and Merchandise stored in Warehouses and covered by Insurance also on Stocks, Bonds and other Securities.

Deals in Gold and Silver Coin, Exchange, Bullion, Bank Notes, Bonds, Stocks, &c.

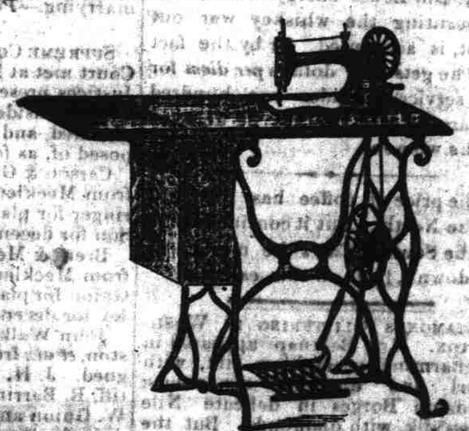
Money received on deposit subject to check. Interest bearing Certificates of Deposit issued for money when left on time according to agreement.

Collections made on all accessible points; promptly acknowledged on receipt, and remitted for on date of payment.

Directors and Officers.

E. C. GRIER, A. MACAULAY, of Stenhouse, Macaulay & Co. J. P. HOUSTON,
B. H. MOORE, J. W. MCMURRAY of McMurray & Davis, R. D. COLLINS,
J. W. WADSWORTH, W. W. GRIER, of Grier & Alexander, S. P. SMITH,
S. P. SMITH, President, T. L. VAIL, Cashier. C. N. G. BUTT, Ass't Cashier.
New York Correspondent—Importers' and Traders' National Band. [feb 4.

MONEY SAVED
BY BUYING
THE NEW FAMILY SINGER SEWING MACHINE.



SOLD ON MONTHLY PAYMENTS.

WE claim and can show that it is capable of doing a larger range of work than any other, easier to learn on, and the most simple in its construction. It is emphatically, the best and cheapest Family Sewing Machine. It runs smoothly, and does from the finest to the thickest work with equal facility and perfection.

We respectfully ask all desiring to purchase a first class standard machine, to call and examine for themselves before purchasing elsewhere, at our sales room on Tryon street opposite the Post Office, or address
H. C. TURPIN, Manager,
Singer M'f'g Co., Charlotte, N. C.
[P. O. Box 41.] Agents Wanted.