Daily Charlotte Observer.

VOLUME XXXIV. CHARLOTTE, N. C., SUNDAY, MAY 9, 1886 PRICE FIVE CENTS.

The Charlotte Observer.

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CLUVERIUS TO HANG.

A CANDIDATE FOR THE GALLOWS.

Scenes of the Incidents of the Verdict of the Court of Appeals—The Lower Court Sustained—The Prisoner's Appearance.

THE OBSERVER at the time of the occurrence contained full details of the trial of Thomas S. Cluverius for the murder of Fannie Lillian Madison. As many of our readers have forgotten the details, we make the following re-statement of the occurrence. On March 18th, 1885, at 3 o'clock a. m., Miss Fannie Lillian Madison arrived in Richmond from Bath county and went to the American Hotel, where she registered as "Miss F. L. Merton." Next morning her dead body was found in the old city reservoir, a short distance west of Hollywood cemetery. On the 18th, near Little Plymouth, in the county of King and Queen, her first cousin, T. J. Cluverius (Kla'weers), was arrested charged with the murder of the deceased. He waived an examination before the Police Justice, was indicted in April, and was brought to trial in the Hustings Court of Richmond at the May term. On the fourth day of June the jury returned a verdict of "guilty."

The case went to the Court of Appeals, the decision of which we have already published by telegraph.

We give the following particulars in regard to the present *status* of the case:

SUSTAINED IN TOTO.

The opinion closed by sustaining the lower court in each and every particular. Every bill of exception was dismissed, and the action of the Hustings court affirmed *in toto*. Judge Fauntleroy said that the appellate court sees no reason why they should overrule or reverse the decision of the court in which this case originated, and is of opinion that Thomas J. Cluverius should answer with his life for the foul crime by him committed. It is therefore ordered that the case be not remanded for further hearing, but that the verdict of the hustings court of the city of Richmond be affirmed.

Judge Lacy stated that while he concurred in the general results of the opinion he did not agree with the opinion itself.

Judge Hinton dissented entirely, both in the opinion and the general results. He stated that the *corpus delicti* had not been proven; that the admission of the Curtis letter was entirely wrong, and that from the introduction of that letter had sprung other matters in relation to the trial which warranted him in dissenting, and that he would write out his opinion and have it entered on record.

Judge Lewis stated that Judge Richardson was absent on account of indisposition, but that he concurred in the general results, but not in the opinion.

THE DECISION EXPECTED.

Although the court-room was crowded, there was an absence of rush or excitement. The fact that Cluverius would not be produced in court of course kept away many who would otherwise have been present. Nearly every member of the bar was in the room at some time or other during the reading of the opinion. At times Judge Fauntleroy was very impressive, and as he laid bare the facts as adduced on the memorable trial, it seemed as if the voice of the public prosecutor was being heard again, many of the arguments and much of the language used being identical with those by which the eloquent Meredith and Aylett thrilled all who heard them when the case was before the hustings court.

Little or no surprise was manifested at the decision; in fact, public opinion had been very well settled upon the presumption that no new hearing would be granted. For over a week the air has been full of rumors that the court stood four to one against a new trial, and that two of the four disagreed only as to the certain particulars, and for once rumor was correct. How these facts leaked out is not known, or whether it was only one of the lucky surmises of those who are supposed to know everything. After the reading of the opinion of the court, as expressed, had been arrived at after a very patient and searching review of all the facts as set forth at the time of the trial, and was supported by copious quotations and references to the most learned and competent authorities. Thus is ended another act in the great tragedy which shocked a continent and for a time made Richmond unenviably famous.

Face to face with his fate Cluverius stands today, and whatever that may be he cannot complain that the law has not thrown around him every safeguard and allowed him every chance to prove himself innocent of the dreadful charge that has been laid, and from the testimony it would seem brought to his door.

THE PRISONER.

Cluverius knew what the decision of the court would be at least one hour before Judge Fauntleroy finished reading the opinion. The first few pages that were read indicated a decision unfavorable to the prisoner, and about half past 12 o'clock Mr. McGeorge, a feed dealer, doing business in Richmond, left the court room and went down to the jail. It was he who told Cluverius how the case would be decided, but it was after 2 o'clock before the prisoner was aware that the Supreme court had sustained the decision of the lower court in every point that was raised by the prisoner's counsel.

Mr. McGeorge remained with Cluverius until after 2 o'clock, when Judge Crump and Mr. Beverly Crump, of counsel for the prisoner, arrived at the jail. Cluverius was in an up-stairs room—the same one in which the coroner's investigation was conducted, and where a dramatic scene occurred when the street car driver, Mr. Williams, looked at Cluverius to see if he could identify him as the man who, in company with a lady, got off the street car at Reservoir street and turned down towards the reservoir on the night of the tragedy. Cluverius was dressed in a light grey suit, probably the same one he wore at the trial. It looked neat, and his general appearance was neatness.

HOW HE RECEIVED THE NEWS.

When the action of the court was made known to him he never trembled or moved a muscle, except perhaps a little twitching of the facial muscles, and this soon passed away, giving place to that sternness and self-control which has excited so much wonder, and has been a puzzle to so many. When he heard the words, "The decision is unfavorable to you," he raised his eyes, which had been gazing at the floor, and, in a clear voice, said: "I am surprised." Here he paused, and the silence seemed as painful to those who saw the prisoner as it was to the prisoner himself. Presently he qualified his remarks, and in a voice more trembling than at any time heretofore, he remarked, "I had hoped for better results."

Sergeant Lee subsequently said: "Mr. Cluverius, I will now have to put you in solitary confinement. Your treatment hereafter must be somewhat different from what it has been, and it is my duty to have you put in solitary confinement and a guard placed at your cell."

Cluverius looked up at Sergeant Lee and replied: "Sergeant, I make no objection. I have tried not to give trouble to anyone in this jail and I will continue not to do so."

When Judge Crump came down to the jail he was shown into the room where Cluverius was. Mr. McGeorge retired when Judge Crump entered, and as the latter walked into the room Cluverius advanced and gave him a cordial grasp of the hand.

Judge Crump took a seat near a desk in the room, and the prisoner placed a chair near the one Judge Crump was in, and the two sat close together and conversed. The window next to the jail office was raised a little and Judge Crump lowered it, to prevent perhaps any of the conversation being wafted to the ears of those who sat in the office just across the jail yard and but a few feet from where the prisoner sat.

WHAT WILL HIS COUNSEL DO?

What steps will you take now, asked a reporter of Mr. Beverley Crump, of counsel for the prisoner?

"Well," said he, "we will not do anything right now. About two or three months from now we will decide upon what course we will take."

HIS ONLY HOPE.

The only hope now left to the prisoner is excutive clemency, for unless the Governor interferes, Cluverius will pay the penalty of his crime upon the scaffold.

Having thus far refused to tell the story of the crime for which the courts of the commonwealth have said that he must die, it is very likely that he will still keep the awful secret until the last spark of hope is extinguished.

The action of the Supreme Court will doubtless be certified to the hustings court before the June term, and when that is done the prisoner will be brought before Judge Atkins to be re sentenced.

ANOTHER STEP FORWARD.

Making Steel Nails in the South—The First Ever Manufactured South of Mason and Dixon's Line.

Chattanooga Times.

The steel department of the South Tredegar Iron and Nail Works is now under full headway, and the first steel nails ever made of Southern manufactured steel are being turned out. The Bessemer furnace which shut down a week ago to undergo some needed changes, was fired up again Wednesday, and a number of splendid casts were made. Soon after the fires were rekindled in the furnace, the nail mill resumed, and in a few hours the manufacture of steel nails from Southern steel had begun, and the nails were falling from the machine like hail. The nails are of a fine quality, durable, and stood all the several tests to which they were subjected. This means that the efforts of Manager Duncan have been crowned with absolute success, of which he may well feel proud.

The manufacture of nails from steel is very interesting and is carried on with perfect system and dispatch. From the moment the raw pig iron is placed into the furnace until it is converted into nails the material is never allowed to get cold, and by this means a great saving of fuel is secured. The steel plant will now continue in constant operation.

Attempt to Wreck a Train.

CHICAGO, May 8.—An attempt was made last night to wreck an outgoing night passenger train on the Chicago, Burlington and Quincy road by opening a switch near Fourteenth street and removing the light therefrom. The scheme, however, was miscarried, for the train was at the time moving slowly when the engineer discovered that his locomotive and tender was off the rails and running over the ties of the switch. He immediately set the air-brakes, shut off the steam, reversed his engine and the train came to a standstill. All except the engine and tender being on the track. The train proceeded after half an hour delay. No clew has yet been found as to the perpetrator of the deed

The Largest Barn.

What is said to be the largest barn in the world is situated at Papillion, Neb., it covers five acres, cost $125,000 and shelters 3,750 head of cattle. It is the intention of the owner to enlarge its capacity so as to protect 6,000. The immense structure is used for the purpose of fattening cattle after they have been for three or four years on the ranges. The great barn has a complete system of water works, and is thoroughly washed twice every day. The cattle are fed upon cooked meal—one man feeds the whole herd. All he has to do is to turn a large faucet and let the feed run to them.

MR. DAVIS MAKES A UNION SPEECH.

An Interesting Event at a Banquet in Savannah.

SAVANNAH, May 6.—At a banquet given by the Savannah Volunteer Guards Battalion tonight Mr. Davis entered while Governar McDaniel was speaking and was greeted with tremendous cheering. When Gov. McDaiel had concluded, Mr. Davis, in response to a continued ovation, made the most important speech yet delivered by him in this city. He said:

"If Savannah needs a guard, here it is; if the United States needs defenders, here they are. If the United States needs troops for war, I don't know where they could get better, braver, or more trustworthy soldiers than right here in Georgia. In the days of Coleman's existence Georgians were taught the path of duty by a man who spent his fortune in taking debtors out of prison. Yours is a grand history. As the Empire State of the South [applause] you gave to the Union out of your original territory two States, Alabama and Mississippi, and they are proud of their parent. [Applause.] In the history of Georgia one thing always stood preeminently prominent for the assertion and maintenance of the independence and dignity of the sovereignty, not the sovereignty that oppresses and encroaches upon that of others, but that which always uplifts its hand in defence.

"There are some who take it for granted that when I allude to State sovereignty I want to bring on another war. I am too old for a fight again, and God knows I don't want to have the necessity of fighting again. [Applause.] However, if that necessity should arise, I know you will meet it, as you have always discharged every duty that you felt called upon to perform."

Mr. Davis paid a handsome compliment to the Dubuque Drum Corps, recalling his remembrance of Dubuque when it was the home of the red man. They had been received here, he said, with a warm and hearty welcome. Alluding to the unveiling of the bronze tablets on the Green monument, he said:

"There was a Rhode Islander who left his native State to settle in Georgia. The celebration today is a link in a long chain of affections that binds you and the North together. Long may it be true, as it has been in the past, that Georgia is always willing to open her arms wide to welcome every man, every true patriot, that comes to put his foot on its soil."

The conclusion of Mr. Davis's remarks was the occasion for another enthusiastic outbreak.

"Frade of Old Tom."

WASHINGTON, May 6.—The following picturesque profane letter was received at the Postoffice Department a few days ago. It is from a town in New Mexico:

Assistant Postmaster-General Stevenson;

RESPECTED SIR Old Tom Rodford is circullatin a paper arround town, askin to be made postmaster at this place, and I have sined it, but I don't want it to count, and wen it comes in please scrach my name off, as he is no more fit for postmaster than I am for minister of the gospel. Tom is an awful ruff cuss, drinks, swares, fites and would beat h—l out of me if he knew of this letter. Pleas burn this and don't giv me away, and has no education or any manners, would whip any Republickan in town if he had that offis, and i believe would steal us poor in four year. he is a retch of the first water and every one here is frade of him, and would put on more heirs than a french dansing master and drive enny republickan out of town. i write strong becaus we hav a very refined comunity and you dont want to give him that offis unless you want to disorganize this comunity, for he is a holy teror and you may depend on it. We look to the honorable postmaster Gen to save us from a horribel doom. Yours respecty,

S K. PROWER,
Justis of Peace.

P. S.—Others would sine this, but are frade of old Tom.

Negroes to Leave.

GALVESTON, May 8.—A special to the News from Brownwood says: Notices were found posted in various parts of town today which read:

"NOTICE.—All negroes are to leave here on short notice or they will be roughly dealt with. All negroes seen on the streets of Brownwood Saturday evening will be roughly treated. We mean business.
(Signed) MANY MEN."

Business men, without exception, denounce the threatened expulsion, and say they will defend the negroes as long as they behave themselves. The railroad contractors have received written notices, warning them not to employ any more negroes.

Serious Illness of David Davis.

BLOOMINGTON, Ill., May 6.—The friends of ex-Vice President David Davis during the past two days, have been considerably exercised over the condition of his health, his present situation being sufficient to cause alarm. A short time ago a small sore made its appearance on his right shoulder, not much larger than a pin's head. It grew until his entire back was terribly swollen, causing him intense pain. He has been ill for several weeks and is greatly emaciated. His condition is serious

Wilmington Star: A special dispatch to the Star, from Greensboro, N. C., says that the stockholders of the Cape Fear & Yadkin Valley Railroad Company met in that town yesterday. Great desire was expressed for the speedy completion of the road to Wilmington, and a resolution to this effect was adopted with unanimity. The utmost harmony prevailed between the syndicate and the railroad commissioners representing the city of Wilmington. Stirring speeches were made by Mr. J. H Currie, of Wilmington, Dr. J. M. Worth, Mr. Turner Morehead and others.—The net earnings of the road for the past twelve months are $112,000. Six car loads of iron for the road arrived at Greensboro last night, and track laying from there to Mt. Airy will begin at once. Grading has been completed to Walnut Cove.