

PEACOCK IS NOT GUILTY

MURDER CHARGE IS DISMISSED

After Hearing Lasting Many Hours in Habeas Corpus Proceedings at Wilson, Supreme Court Judge Connor Exonerates Charles Peacock, of Smithfield, of Charge of Murdering Alonzo Jones—Verdict Given at 1:30 O'clock This Morning.

Special to The Observer.

Wilson, July 28.—This afternoon at 3:30 o'clock in the court house Judge Connor, of the Supreme Court, heard the habeas corpus proceedings in the writ sued out by Charles Peacock, who was committed to jail, at Smithfield yesterday after a two-weeks' investigation by the coroner's jury, charged with the murder of Alonzo Jones, also of Smithfield, the night of July 13th. Owing to the prominence of the parties, both being highly esteemed young business men, the trial is attracting great attention and nearly a hundred citizens of Johnson county mostly witnesses, are attending the hearing. The defense is represented by Pon & Brooks and Abell & Narron, while the prosecution is in charge of Col. Argo, of Raleigh, and John E. Woodward, of this city.

Immediately after the judge called the court to order counsel for the prosecution objected to a hearing inasmuch as the solicitor had not been notified. After this point had been argued, it being impossible to get Solicitor Jones, of Raleigh, over the telephone, Judge Connor appointed the attorneys for the prosecution to represent the State. At the suggestion of counsel the witnesses were retried, being called and examined separately.

William Holt and Isaac Saunders, heretofore, were the principal witnesses for the State. Holt's testimony was in the main as stated in to-day's Observer. Counsel for the defense finally got from him the admission that he could not positively swear that it was Peacock and Jones he saw together near the scene of the murder a few minutes before the shots were heard, but he was quite certain Saunders was positive that he recognized Peacock at that time. The defense strove to break down Saunders' testimony with success, proving him to be of bad character.

Mrs. Peacock, mother, and Miss Ross, sister of the accused man, testified that Peacock came home on the night of the murder from 20 to ten minutes before 10 o'clock and did not leave. W. D. Massey saw Peacock near his home and going towards it 15 minutes before 10 o'clock and knew that he did not leave. All three proved good characters. Peacock's home was about half a mile according to evidence of Sheriff Ellington, from the scene of the homicide, which presumably occurred at 10 o'clock.

The State introduced evidence that Jones had a sum of money on his person that night, showing robbery as a motive. There was no strong evidence of robbery.

PEACOCK DISCHARGED.

At 1:30 o'clock this (Sunday) morning Judge Connor dismissed the charge against Peacock on the ground of insufficient evidence.

CEASES RESPIRING WILLIAMS.

Gov. Jelks Quits Trying to Solve Tangle Created by Interference of Judge With Execution to Permit Sanity Inquiry.

Birmingham, Ala., July 28.—Governor W. D. Jelks to-day declared he will have nothing further to do with the case of John Williams and will leave it entirely to the courts. When Judge Samuel Weaver, of the county criminal court, ruled to-day that he had jurisdiction to investigate the sanity of John Williams, a man convicted of murder and sentenced to be hanged yesterday in Cullen county, he apparently set a precedent in Alabama.

"If Judge Weaver's position is correct," said Governor Jelks, "an impossible condition of affairs exists. The Legislature doubtless will have to enact laws covering the point. I shall issue no further rescripts. The matter will have to be settled in the courts."

Judge Weaver set Aug. 6th for the investigation of the prisoner's mental condition.

Howan Man Killed in Runaway.

Special to The Observer.

Salisbury, July 28.—From Morgan township, one of the remotest places of the county, there was brought to-day the news of the killing by runaway accident of Wiley Morgan, the oldest citizen of the township, Wednesday of this week. Mr. Morgan and his son, A. A. Morgan, were driving a team of wild horses and at the moment of the accident were removing a box from the wagon. This caused the fright that started the team and the elder gentleman was thrown out with injuries that caused almost instant death. He was very old, 87, and was a highly liked man in Morgan. The funeral service was held Thursday and was attended by a large crowd.

MANY CHARTERS GRANTED.

Capital of New Enterprise Commissioned in State Yesterday Aggregate Three Quarters of a Million—Commercial Trust Sixty, of Charlotte, Has \$125,000 Capital.

Observer Bureau, 122 South Dawson Street, Raleigh, July 28.

At a meeting of the council of State this afternoon Governor Glenn called a special meeting of the board of trustees of the A. & M. College to be held next Thursday in regard to the reported unsanitary conditions at the college. No action was taken this afternoon. President Winston and Commissioner Patterson are both out of the city. Wake county Republicans this evening announced a mass-meeting of the Republicans of this section next Saturday for a practical show-down or demonstration of party timber. This anticipates the primary, which will be held August 18th.

Governor Glenn to-day heard F. A. Sondley, Asheville, and A. C. Avery, Jr., of Morganton, for the plaintiffs in the suit of Westfelt vs. Adams pending in Haywood county. Mr. Walter Moore, of Webster, appeared for the defendant. The hearing before the Governor is the matter of calling of a special term of court regarding which there is such difference of opinion by the parties involved.

The corporation commission returned this afternoon from Pittsboro after having looked over that specific section of trackage. A report will most likely be made Monday. The State issued charters to-day, that total having reached the high figure of nearly three quarters of a million dollars. The Commercial Trust Company, Charlotte, has \$100,000 capital, incorporated. R. Miller, Capt. A. G. Brester, and J. A. Durham, of the Proctor Trousers Company, of Cornelius, Mecklenburg county, will make skirts, trousers and overalls; incorporators, J. P. Proctor, R. J. Stough, J. B. Cornelius and a number of others, who have subscribed \$4,100, out of a total stock of \$40,000. Greensboro leads all others in the day's issuance with the Wright Automatic Safety Air-brake Attachment Company, and a total authorized capital stock of \$400,000; incorporators, F. P. Hobgood, Jr., J. T. J. Battle and C. E. Holton; Blackwell Durham Tobacco Company, Durham, with \$125,000, of which there has been subscribed \$5,000 by James W. and G. R. Blackwell, William A. and W. B. Guthrie; Burlington Hedding Company, Burlington, for the manufacture of mattresses and kindred goods and furniture; authorized capital stock \$50,000; stockholders, J. P. Albright, W. E. Sharpe, W. H. Holt and C. L. Wright.

WAS NO MINISTER ON JURY.

Appeal to Federal Courts Made for Elder Rawlings on This Ground, He Being a Preacher—Wants to Die and is Bitter Against His Attorney.

Macon, Ga., July 28.—John R. Cooper, attorney for J. G. Rawlings and his sons, under sentence to hang for the murder of the Carter children near Valdosta, Ga., over a year ago, to-day filed a habeas corpus petition to Judge Emory Speer of the United States District Court. The ground of the petition was that the elder Rawlings was a minister of the Gospel and that there was no minister on the jury which tried the case.

Judge Speer took the petition under consideration and declined to sign the habeas corpus order, whereupon Attorney Cooper presented a bill of exceptions, which Judge Speer certified. On this bill of exceptions the case will go to the United States Supreme Court again.

The elder Rawlings to-day telegraphed from Valdosta to Macon, asking for a personal interview with Attorney Cooper. The old man declares that he wants to die and is bitter in his comments on his attorney.

MINING OFFICIALS PERISH.

Fatal Cave-in at Colorado Mine—Little Hope Entertained.

Gurray, Col., July 28.—General Manager I. A. Thompson and V. W. Mather, of the Tempest Apex Mining Company, have been missing since yesterday morning, when they went into the Mickey Mine and it is feared that they have been asphyxiated by a cave-in. A force of men is searching for the two men, but up to noon to-day no trace of them had been found.

Syracuse, N. Y., July 28.—A dispatch filed by C. O. Thompson, of this city, says that his brother, Launt Thompson, and a man named Mather, were lost in a cave-in of Tempest Apex Mine, near Gurray, Col., and that there was a horrible fatality.

Launt Thompson was treasurer of the company and formerly lived at Auburn and Lansing, Mich.

Florida Express Derailed in South Carolina.

Columbia, S. C., July 28.—No. 33, the Southern Railway's south-bound New York and Florida express, was derailed this afternoon 20 miles south of Allendale, S. C. Four cars were wrecked but no one was injured.



Elihu Root.

MR. ROOT HOLDS RECEPTION

Leaders of Brazilian Society and Members of American Colony Throng Abrantes Palace in Rio—No Session of Pan-American Congress.

Rio de Janeiro, July 28.—A reception was held by Secretary of State Root this afternoon in the Abrantes Palace. There was a crush of members of the American colony, Brazilian diplomats and leaders of Brazilian society. Mr. Root, in replying to the speech of welcome by a delegation of Parliament, said: "You speak to me as the interpreter of a policy. My visit here is for the interpretation of the policy of my country. That is why I am here."

After the speeches the party retired to the pavilion in the palace grounds, where the reception became informal. There was no session of the Pan-American Congress to-day. A few of the members of the congress attended Secretary Root's reception and had tea in the pavilion.



I WANT WHAT I WANT WHEN I WANT IT. Is a new popular refrain! This is just as good as an old, old one when you want WHITE HOUSE COFFEE. get it! We won't accept any coffee to be just as good.

BANISH THE WASH-BOARD

Consign the old wash-board to the rubbish heap and send your Family Washing to us. There's no rubbing the clothes to "death" by our Special Household Plan—no wear and tear. Our big rotary washer reduces that to a minimum—means life insurance for the clothes. Plenty of water and good soap produce the best results—clean and white garments. If you want the best washing at reasonable cost, this is the place to get it.

CHARLOTTE STEAM LAUNDRY LAUNDERERS, DYERS, CLEANERS 219 SOUTH TRYON STREET.

Commissioner Neill Re-Elected President.

Boston, July 28.—The Association of Officials of Bureaus of Statistics of Labor, which has been holding its annual convention here this week, to-day re-elected Charles P. Neill, of Washington, as president. W. L. A. Johnson, of Kansas City, was elected secretary. It was decided to hold the next annual convention at the Jamestown Exposition.

Botl Deals Death to Three in Alabama.

Talladega, Ala., July 28.—J. L. Phillips, a well-known resident of Fayetteville, this county, was killed to-day and his wife and the infant child of Mr. and Mrs. S. A. Honey were fatally injured by a stroke of lightning. The parents of the child found the three dead or helpless in the Phillips home when they called for their child. Both families are prominent.

Tom Watson Working for Hoke Smith

Augusta, Ga., July 28.—In a speech at Thomson, his home, Thos. E. Watson, Populist leader, candidate for President in the last election, advised the Populists of Georgia to vote the Democratic State ticket on Aug. 22, and not put out a ticket of their own.

Application for Mandamus Denied Wells-Fargo Company.

New York, July 28.—An application made by stockholders of the Wells-Fargo Company for a writ of mandamus compelling the officers of the company to submit its books for an examination was denied yesterday by Justice White in Brooklyn.

DID YOU GET ONE?

Ten Gross, or 120 Dozen, or 1,440 Bottles of Mrs. Joe Person's Remedy has been sold this week. Everybody ought to take Mrs. Joe Person's Remedy who needs a tonic. Now is the time you need it. You ought to keep it in your house all the time. Read the following:

For about eight or ten years I was subject to severe attacks of eczema, which would last for several weeks. I would try local treatments and doctors' medicine, which would relieve for a while, but it would always return, and everything failed in permanent effect. I then determined to try Mrs. Joe Person's Remedy two years ago. I took it regularly for six months, using a dozen and a half bottles, and it made a perfect cure of me. It has been over a year since I stopped taking the Remedy, and I have never had a touch of the trouble since, and my general health is excellent.

MRS. J. H. WILKINS, Bessemer City, July 3, 1906.

Advertisement for Swell Guys Model Steam Laundry, featuring the text 'Swell Guys' and 'To The Model'.

Trunks and Cases and Bags

THE EXTRA NICE KINDS. We make a specialty of the better grades, styles out of the ordinary and at much less prices than the same are sold at in the large centres. The new President Bag is the latest and best thing in the "Kil" style. The Secretary is a very large, deep combination bag. French Hat Boxes, Bag Trunks, Bureau Trunks, Etc., Etc. Everything the traveler needs; ordinary things you can get anywhere—can get them of us, too, and all the good things that you can get nowhere else. Always see us.

GILREATH & CO.

COUPON CERTIFICATES "Saving Money by Mail" on request. EQUITABLE BANKING & LOAN CO. No. 62.

LOOK FOR THE NAME

In buying Cut Glass it pays to get the best. Libbey's name is engraved on each piece and it is known to be the finest made. We are agents for Libbey and keep a full assortment of Libbey's, as well as other standard makes. Not the cheapest, but the BEST for the money.

Garibaldi & Bruns.

Large advertisement for Pinnacle Beer, featuring the slogan 'Beer is Liquid Bread' and an illustration of a man and a woman holding glasses.

Large advertisement for 'A FEW PRESS CLIPPINGS' by Stone & Barringer Co., featuring a list of press clippings about John Chas. McNeill's poetry.