fo of Man Who Was Murdered by Hor Brothers, James and Philip Brother, an Hour After Her Maringe, Will Redite Incidents Leading Ip to Tragedy—Testimony Will be taken in Presence of Only Court Officers, Jury, Attorneys and Newsmar Men—Rev. W. J. Ware, Who formed Marriage Cerentony. The Interesting Witness of the Heavy Visits "Rotherwood," And Review Rev. Where the Trageny Occurred.

Culpepper, Va., Feb. 26 .- Commonwealth Attorney J. A. C. Keith to-day ncluded the case of the State against James and Philip Strothers, charged with the murder of William Bywaters, their brother-in-law, and

the prosecution to examine her beforehand, which rendered her testimony of doubtful value. The defense,
however, insisted that her statement
was of importance to the case, and
announced that they would call her
as their witness. Judge Harrison
then ruled that Mrs. Bywaters' testimony would be taken in the presence
of onlythe court officers, the jury,
attorneys and newspaper representatives.

MINISTER ON THE STAND.
Four witnesses testified at the morning session. Rev. W. J. Ware, the
minister who married Viola Strother
and Bywaters an hour before the
minister who married Viola Strother
and Bywaters an hour before the
tragedy, was the most interesting witthe prosecution to examine her be-

tragedy, was the most interesting witness of the hour Questioned by Commonwealth Attorney Kelth and Capt. Micajah Wood, whose associate, Rev. Mr. Ware, described in detail the errangements for the marriage on the day of the shooting, made with Philip Strother, one of the defendants. He said that the service was read nim while the young bride lay ill in her bed. Mrs. Bywaters, he stated, cried continually during the ceremony, while Bywaters was composed and answered the minister's question in a clear, firm voice. Both of the defendants, Mr. Ware said, were in the room during the ceremony, and were entirely solicitous for their sister. Mr. Ware stated that James Strother and Bywaters where the stated in the stated care. Tomato Salad

Ice Cream Assorted Cake Swiss and American Cheese Tosted Crackers Demi Tasse

Openi Tasse

Creme de Menthe Toastmaster Fore made a very happly talk in presenting Ex-Judge happly talk in presenting Ex-Judge and diversed Mr. Harriman in a low tone. His question apparently relations of the statement of the witness as to Stuyves-ant Fish came in the middle of the morning session. Mr. Kellogg, in reference to the Illinois Central, spoke twice of the "squabble" between the witness and Mr. Fish.

Toastmaster Fore made a very happly talk in presenting Ex-Judge down tone. His question apparently relations of the morning session. Mr. Kellogg, in reference to the Illinois Central, spoke twice of the "squabble" between the witness and Mr. Fish.

Toastmaster Fore made a very happly talk in presenting Ex-Judge down the commission, leaned over and addressed Mr. Harriman in a low tone. His question apparently relations of the commission of the "squabble" between the witness and Mr. Fish.

Toastmaster Fore made a very happly talk in presenting Ex-Judge down the "clear" of the middle of the morning session. Mr. Kellogg, in reference to the Illinois Central, spoke twice of the "squabble" between the witness as to Stuyves-ant Fish came in the middle of the morning session. Mr. Kellogg, in reference to the Illinois Central, spoke twice of the "squabble" between the witness and Mr. Fish.

Toastmaster Fore made a very happly talk in presenting Ex-Judge down the "squabble" between the witness and the morning session. Mr. Kellogg, in reference to the Illinois Central, spoke twice of the "squabble" between the squabble o him while the young bride lay ill in after the ceremony had been solemnized, and appeared in perfect James Strother, he said. sisted on giving his sister away

stated that young Mrs. Hywaters was

Bywaters because Bywaters had ruined his sister Both brothers, Crump the United States

The afternoon session of the court was brief. There were only two witnesses. Dr. C. S. Cowle, offered as an E. al association, space on "The Said expert witness, and R. M. Fhampson Merchents' Association." He was "W Wood, for the presention, in an id- and Binking." The banquet was tempt to show that the bullet found over a lew infinites before I o'clock. Hywaters skull and; which carried with it a place of the EFFECT ON POLITICAL FUTURE. was fired from close range. Judge Hyrrison ruled that an objection was well taken, and accordingly for Cowle was excused. Show Talks of His Election as President of Carnegle Trust Company in Reply to Question. JURY VISITS HOMESTEAD

Two hours of the afternoon see Shaw, Secretary of the Treasury, was help Struther homesteal, THEY SEE COMMENTS with the tragedy, but particularly in the bed room where the bod yof the fleeing ligwaters

husband, was in the house when By- tary Shaw said waters was snot, will be called by the defense to morrow.

It is announced, also, that James but no man in my time by taking but no man in my time by taking thought has made himself President morrow or Thursday

PASSENGER BOUND TO COURT. | ment

Carrying Concealed Weapons.

Special to The Conserver carrying concealed on his person razor and a pistol Court, and in default of bond train at Old Fort and that he had he service." been employed on railroad construction work in McDowell county, was arrested at Biltmore by Policeman Sharp on the complaint of H. M. Wike, in charge of a gang of work-men on the South & Western. It alleged that while en route from Biltmore McVay attempted to rob Mr. Wike; that Mc-Vay had his hands in Mr. Wike's pockets when the latter realized that e was being robbed and immediately grappled with the alleged thief.

To stop a Cold with "Preventios" is mader than to let it run and cure it afferwards. Taken at the "aneeze stage" cal Director reventics will head off all colds and stipps, and perhaps save you from neumonia or Bronchitis. Preventics are life toothsome candy cold cure tablets elling in beent and Secant boxes. If you are chilly, if you begin to sneeze, by Preventics. They will surely check he and, and please, you. Sold by Burgely check he and, and please, you. Sold by Burgely check he and, and please, you. Sold by Burgely check he and and please you.

harlotte Retail Merchants' As tion Give Banquet to White harlotte Retail Merchants' Associa-tion Give Banquet to Which All Members and a Number of Vis-tiors Are Invited—Mr. J. A. Fore Toustmaster—The Feast a Delight-ful One—Richardson's Orchestra Furnishes Music—Speeches Made by Ex-Judge Armistead Burwell, Mr. Norman H. Johnson, Mr. A. B. Justice and Mr. George Stephens.

Justice and Mr. George Stephens. The annual banquet of the Charlotte Retail Merchants' Association, which was served last evening in the ball room of the new Hotel Selwyn, Aside from the speeches, which were cause of misconduct as to the funds of of extraordinary interest, and the the company; menu, a notable one, the music, furnished by the Richardson Orchestra,

to-morrow the defense will begin the presentation of the evidence which they claim will establish complete justification under the plea of the "unwritten law."

The defense will begin by putting Mrs. Viola Bywaters, sister of the defendants, on the stand to tell her story of her relations with Bywaters leading up to the tragedy on the night of December 15, last, when her brothers shot and killed him at the family home, "Rotherwood," four miles from Culpepper.

An attempt was made by the State's attorney to avoid calling Mrs. Byto-morrow the defense will begin the was simply entrancing, all tending to

attorney to avoid calling Mrs. By- the room the boatsmaster and speakwaters to the stand, the plea being ers occupied special seats. The snow that no opportunity had been given white linen, the spotless china, the flowering plants and the brilliant

Maitre D'Hotel Broffed Shad Claret Pomme Nature Young Philadelphia Capon, Chestnut

Dressing Champagne Victoria Potatoes Stringless Deans his ex Sweetbread Croquettes au Petit Pois Frank Victoria Potatoes Stringless Beans

Punch Benedictine Tomato Salad

Strother and Bywaters shook hands Judge Burwell compared Charlotte of bench and said: Judge Burwell compared Charlotte of to-day to the Charlotte which he first knew 50 years ago. He then fore-funds with the Trust Company of the custed the Charlotte of to-morrow, Republic. marriage, stating that he wanted that part of the ceremony included.

J. C. Lemon, the next witness, rehearsed the scene at the S rother home after the fatal shot had been fired. He arrived there, he stated, within a few minutes after the shooting and found Bywaters on the roof just outside the room where the favor brothers had first begun firing.

JAMES STROTHER OVERCOME.

Bywaters, he said, appeared to be dying, but managed to drink some dying, but managed to drink some tomobile. These and other vast whiskey which Lemon procured from changes for the better have been one of the Strother brothers Lemon brought about in the half century.

Mr. Norman H. Johnson followed ty." on her bed crying piteously. She Judge Burwell, his subject being called for her brother "Jim" and usk. "Legislation." Mr. Johnson spoke ed him to forgive her for lying about exclusively of pending legislative her condition. During the her condition During the recital of measures which had a bearing di-lemon's testimony. James Strether rectly upon the work of the asso-was completely overcome. He show-clatten. He sounded the keynote clerk some admit emotion and tears streamed when he said that no reduction in down his face as he heard the story passenger fares was wanted until of the tragedy recent ted. Deput ysheriff J. F. Howersett and L. B. Crump, one of the Strother's neighbors, were the other two witnesses. Mr. Crump stated that Philip Strother told blm that he had killed Bywaters because Hywaters had refer to the against in this respect more. claring that the Gild North State was meeting was scheduled the announce-einned against in this respect more ment of the dividend would have been so then any other Commonwealth in made in the usual way the morning afthe shale the mithat they had first line cities, Charlotte," he said, "was discriminated against more so than any other."

Mr. A. B. Justice, atterney for the final association analyses and association analyses.

the Culpepper indertake, who took officed by Mr. George Stephens. The master operator smiled and then Cowle was infrainted by Mr. also before the American Trust somewhat nervously said:

Wood for the American Trust somewhat nervously said:

"I don't I think it has stopped, I don't Cowie was introduced by Micatah Company his subject being "Finance

"Rotherwood," where the tragedy negle Trust Company, of this city, occurred. The jury were deeple in the election to take effect March 5.

Washington: the Strother Shaw, who was to-day elected presibrothers say they ared 12 sants into their of the Carnego Trust Company, Mrs. Edward L. Gaines, a sister of his acceptance of this position would the Strather brothers, who with her have upon als political future. Secre

"A man by taking thought may make hims if justice of the peace; story of the fragedy to the jury to of the United States, and those who of the city, was the victim of a dismorrow or Thursday. have given the subject most consideration have usually died in disappoint- days ago. He was at a wood chop-G. H. McVay, Passenger on Western spontaneously, and unless it continues the home place of Walter Rich, when entiment tow exists has sprung up North Carolina Train, Tried by Bill- to grow in the same way my name his axe slipped and his foot was cut more's Mayor for Alleged Theft and will never be mentioned in a national off.

Asheville, Feb 26 - G H McVay, to do my share of the world's work. a passenger on train. No. 25, from Salisbury this morning, was tried be, vate life is usually acquiesced in withfore Mayor Waddell, of Bilimore, on our protest, and should no one now Opic Read, one of the series of enterfore Mayor Waddell, of Bilimore, an out process, and standard or lead to tainments given in the Durham Star attempting to rob a passenger on the political estrangement During all course. Mr. Read did not show up aforesaid train No. 35, and also with the years of my menhood I have a taken a more or less active part it developed at political campaigns, and my interest Mr Read did not show up for the adthe trial that the plates and the rages in them will not flag, though the op-The mayor, held portunity to participate in them McVay under \$300 bond for appear as great an extent may be wanting. ance at the next term of Superlor and it will be for my party to determine whether I am again invited mitted him to the county Juil Me. from the congenial fields of personal

Annual Banquet University Virginia

Alumni Association. Washington, Feb. 26 .- The University of Virginia Alumni Association, It of Washington, gave its annual banquet in this city to-night, covers being laid for 70 guests. The principal speakers of the evening were president of the University, Senator Edward W. Carmack, of Tennessee; Representatives Floyd, of Virginia, and Sherley, of Kentucky, and Medical Director Wise, of the United

Southern Pacific Depot Burned. San Antonio, Tex., Feb. 26.—The new depot of the Southern Pacific was guited by fire this afternoon, loss

STATE CONCLUDES ITS CASE THE MERCHANTS' BANQUET WEALTH, ROAD REGULATION

of Misconduct of Company's Funds and Brings Ont Many Points Which Make the Day a Most Important One, Events Giving a Vivid Real-ization of the Problems of Swollen Wealth and Railway Regulation—A Notable Contribution to Financial History, Light and Dark, of the

New York, Feb. 26 .- An assertion that was one of the most elaborate and Stuyvesant Fish was deposed from the enjoyable events of the winter season, presidency of the Illinois Central be-

> A continued refusal to answer questions relating to individual transactions;

misconduct of the railroads created the copular anger that moves determinedly

the problems of swollen wealth and rail way regulation, and the participants, their utterances and the circumstances gave the inquiry importance. It all made a the inquiry importance. It all made a notable contribution to the financial hisnotable contribution to the mancial history—light and dark—of the time. Mr. Harriman again occupied the stand throughout the entire day and again was his examination in chief conducted by Frank B. Kellogg, of St. Paul, Minn., special counsel for the government. The statement of the witness as to Stuyves—not Fish came in the middle of the

We-the directors I mean-im which he fittingly styled "Greater mediately directed the secretary to with-charlotte." "When I came to this draw this money and it was done." city a half century ago," said Judge Mr. Harriman then said that later in

THE OCCASION UNUSUAL. Mr. Harriman proceeded with his nar-Kettogg questioned parent effort to him in an apparent effort to ellelt some admission of motive in the delay in the announcement, but Mr. Harriman's replies were ellered. He admitted that the delay in the announcement was unusual but weld that the occasion was unusual "Of North Care- for the directors' meeting."

> think we have any more I would go on if I thought we could realize something more than we have got from those securities. I would go on and buy some

more things."
Commissioner Lane: "Supposing you concentrated two or three more you might take some other line and go right New York?"
Harriman: "You would not let us

indissioner Lane: "How could we Mr. Harriman: 'How could you help April, 1905, kiling nearly 60 miners. It's I think you would bring out your the civi suits against Leiter are said to aggregate \$400,000. Santa Fe to-morrow."
Commissioner Lane: "Then after you had gotten through with the Santa Fe and had taken it, you would also take the Northern Pacific and Great Northern, if you could get them?"
Mr. Harriman: "If you would let me." anta Fe to-morrow

Farmer Cuts Off His Foot.

relat to The Observer. Durham, Feb. 26.-John Hatley, a farmer who lives several miles south moving and unusual accident a few Whatever Shaw presidential ping to the country, a gathering of the neighbors to cut a lot of wood at He bled profusely but has envention. Meantime I will not des passed through the most dangerous line appropriate tasks nor refuse period of the self-inflicted operation. Last night there was a disappointed audience gathered at the Academy of Music. This gathering was to hear and the audience was dismissed without an explanation other than that

Arrested on Charge of Retailing.

Special to The Observer. Concord, Feb. 26 .- J. Mack Coley, Vay, who said that he boarded the endeavor to the perplexities of pub- a well-known and a well-to-do man of this city, was arrested last night at his home in the western part of the city on a charge of selling liquor. He was taken by Officer Braswell, who was accompanied by Officer Johnston. It seems from all the evidence available to-day that Coley owns a small stock o fmerchandise that he keeps in a shanty near the Gibson Mills, and that his chief stock in trade has been He has accumulated a con-Thomas Nelson Page, who ceted as siderable amount of property, and toastmaster; Dr. E. A. Alderman, was always considered perfectly straight until this whiskey trading business came out on him. He formerly owned and operated successfully a dairy farm near town. He was placed under a bond of \$200, which was put up in cash.

Piles of people have Piles. Why suffer from piles when you can use DeWitt's Carbofized Witch Hazel Salve and get relief. Nothing else so good. Bewars of initations. See that the name is stamped on each box. Bold by Hawiey's

tate Convicts Escape. The Holiaman Building, Raleigh, Feb. 26.

escape of Robert Hill, a mulatto, aged 26, from the State farm hear Weldon yesterday. He was sentenced for seven years for burglary in Edgecombe county in 1903 and was used as a camp servant. The escape of Guy Turner is also appropried. He of Guy Turner is also announced. He is white, aged 29, and was sentenced from Madisen six years age for 39 years for murder in the second degree. He was employed as a nurse for the second degree. for sick convicts at the camp near Wilmington, and cut through the floor of the hospital Sunday night. He is 5 feet, 11 inches high, has gray eyes and dark hair and a large scar on the right side of his head. For each of these escaped men a reward of \$25 and necessary expenses will

be paid.

The Supreme Court to-day filed the following opinions: Nelson vs. Hunter, from Wake, petition to rehear, dismissed. Scott vs. Lumber Company, from Craven, no error. Green vs. Williams, from Craven, new trial. Morten vs. Lumber Company from Craven, reversed. Bowpany, from Craven, reversed. Bowden vs. Railroad, from Craven, re-Duff vs. Railroad, from reversed. Smith vs. Lumber Craven. Company, from Pitt, affirmed. Clark vs. Guano Company, from Halifax, affirmed. Baker vs. Railroad, from Pasquotank, new trial. Railroad vs. ommissioners, settled by the parties. The following were disposed of by per curiam order: Lassiter vs. War-ren from Vance, dismissed under rule Morgan vs. Harrington, from Pitt, affirmed. Forest vs. Smith, from Craven, affirmed. Hatem vs. Ellis, from Craven, affirmed. Dugan

railroad, from Craven, affirmed. Governor Glenn makes requisition on the Governor of South Carolina for Seaton Watkins, charged with the tion address bandonment of his wife and child in Wake county; also one on the Governor of Virginia for Ross Wingate, wanted in Edgecombe for felonious

CHICAGO EXPRESS WRECKED.

Crain Jumps Track and Plunges Over Embankment. Killing Three and More or Less Injuring Every Passenger Aboard.

Guelph, Ontario, Feb. 26.-The estbound Chicago express of the Grank Trunk was wrecked near here to-day. Three persons were killed and every passenger on the train suffered more or less serious injuries. The entire train, with the exception of the engine, jumped the track and plunged over a 30-foot embankment. The dead:

JOHN O'DONOHUE, former mayor of Stratford, Ont. CHARLES RANKIN, of Stratford. TWO - YEAR - OLD SON OF JOHNSON, Peterboro, HARLES

The train was running at the rate of 40 miles an hour when the accident occurred.

POISONED WIFE AND DAUGHTER Solicitor For Correnspondence Schools

For Another Woman Responsible. Denver, Col., Feb. 26. Benjamin . Wright, solicitor for the Interna-Correspondence Scranton, Pa., is in jail on a charge of murder, having confessed to the chief of police last night that he polsoned his wife and daughter, who were found dead yesterday in their store March 1st with a full home in this city. Infatuation for Stella Good is the supposed motive for the crime, statements of hospital physicians, Wright had taken no poison, and was shaming yesterday when he seemed to be unconscious, Following Wright's confession, Stella Good was

arrested to-day at Colorado Springs. Shipment of Arms From New Orleans to Nicaragua Held Up.

New Orleans, Feb. 26.-The shipment of considerable quantities of arms from here to Nicaragua is delayed by an order received to-day by Collector of Customs McCall from the United States Treasury Department. This order makes the delay The arms are said to be shipped by private concerns.

Prosecution Against Leiter Begun. Duquoin, Ill., Feb. 26,-Prosecution of the case against Joseph Leiter, 28th have been rejected. Town recharge of criminal negligence in the ceived under this notice. operation of a colliery at Zeigler, Ill., was begun here to-day. A gas exposion occurred in the colliery in

Gotch Falls to Throw Olsen. Cincinnati, O. Feb. 26.-, of Hum-boldt, Iowa, failed to throw Olsen, Louis, in a 15-minute wrestling bout here to-night.

LUCKIEST MAN' IN ARKANSAS. "I'm the lucklest man in Arkansas."
writes H. L. Stanley, of Bruno, "since the restoration of my wife's health after five years of continuous coulding and bleeding from the lungs; and I owe my good fertune to the world's greatest medicine. Dr. King's New Discovery for Consumption, which I know from experience will cure consumption if taken in time. My wife improved with first in time. My wife improved with first bottle and twelve bottles completed the cure." Cures the worst coughs and Cures the worst coughs and or money refunded. At all drug-50c and \$1.00. Trial bottle free. UNABLE TO TRACE THEFT.

whose case the money disappeared, was followed by a secret service agent last night and again to-day. Fitz-serald threatened the man with violence if he was followed any more. Following the incident, Capt. Porter, of the secret service, removed the de-tective from the duty of watching

Sub-Treasurer Boldenweck declar-ed to-day that there is no intention of arresting Fitzgerald. The sub-Treasurer added that there is not the slightest evidence of theft against Fitzgerald or any other person.

Sealed proposals will be received by the town of Lumberton, N. C., until March 15th., 1907 for extension of system of water works and sewerage for said town, contract aggregating about \$20,000. Forms of etc., may be obtained from undersigned, with plans and profiles. Deposit of \$500 required as guarantee The town reserves the right to reject all bids. For further informa-

> R. C. LAWRENCE, Town Attorney, Lumberton, N. C.

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MARGUERITE

fers for sale water bonds, \$20,000; light bonds, \$5,000; coupon, denomitemporary pending an investigation nation, \$500; interest 6 per cent., payable semi-annually. Bids received up to noon March 1st, 1907. Bids must be accompanied by certified check of \$500 as guarantee. All bids received and opened on January wealthy coal operator, on a serves the right to reject bids re-For information, address

R. C. LAWRENCE. Lumberton, N. C.

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Boys and Girls

For the small kid a skate at 50c pair.

For the boys and girls a steel wheel skate for \$1.50. These skates were formerly sold for \$2.00.

For the experienced skater, a ball gearing steel wheel at \$3.50 per pair.

We also have a shipment of the celebrated Winslow kates, which we are expecting soon. We have an invoice for a full line of baseball goods. Watch out boys. We want your orders.

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. water one may cool:

e eggs, in three minutes,

ad with three teaspoon-

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fuls of water.

ing things.

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MRS Joe Person

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