

IN MEMORY JUDGE MOORE

APPROPRIATE EXERCISES HELD. Members of Charlotte Bar Engage in Brief But Touching Service in Memory of the Late Judge Frederick Moore, of Asheville, Who Was Universally Beloved by the Lawyers of This City as Well as in Other Parts of the State—Messrs. Frommer, Stewart, John A. McRae, W. F. Harding, Solicitor Clarkson and Judge Justice Made Remarks.

JUDGE JUSTICE SPEAKS. Judge M. H. Justice spoke with some feeling on the life of Judge Moore, whom he knew so well and had known so intimately associated with in the past. He said: "Gentlemen of the Bar: Judge Moore was my neighbor in all relations of life, and great is the loss that has been sustained by the State in his death. My mind turns to the family of Judge Moore, his wife, and family of Judge Moore. They are really the ones to whom the sympathy of all good people goes out."

MR. STEWART PAYS TRIBUTE. Mr. Plummer Stewart referred to the uncommon ability as a jurist of Judge Moore and the distinct force of his Christian character on the bench. "In such a judiciary as he represented," declared the speaker, "are the liberties and the rights of the people safe and society secured."

WORDS OF MR. HARDING. Of him Mr. W. F. Harding said: "I have known Judge Moore eighteen years. We were students together at the University of this State. He was in the law department and I in the academic department. As a student he was conscientious—as he mingled among the students he was dignified, gentle and lovable."

MR. A. B. JUSTICE'S TRIBUTE. Mr. A. B. Justice said in part: "I regard him as a man of noble character, a dutiful official, a Christian gentleman, truthful words have been spoken."

SOLICITOR CLARKSON SPEAKS. "I want to say to your honor that I have served with Judge Moore and that he was a man of noble character with regard to his duties as judge," said Solicitor Heriot Clarkson. "He was careful of the rights of the people whom he was called upon to cast judgment against."

MR. B. N. DUKE RETURNS NORTH. Mr. B. N. Duke, of Durham, first vice president of the Southern Power Company, who has been spending several days in the city on business, left yesterday morning for the North, accompanied by Mr. W. S. Lee and Mr. E. B. Arrington, second vice president and secretary, respectively, of the company, he reached Charlotte yesterday morning at 2:45 o'clock from Catawba Junction where he was delayed by reason of a washout on the Lancaster & Chester road.

SELF-DEFENSE SAYS NEGRO

FLETCHER ON TRIAL FOR LIFE. Prisoner Admits Killing George Boyd, Colored, Near Hopewell, a Few Weeks Ago, But Says the Man He Killed Was Advancing on Him, Brandishing Out Threatenings and Slang—No Eye-Witnesses to the Killing. But Colored Woman Heard Pistol Shots and Saw Prisoner Leaving Scene of Shooting—Case May Reach Conclusion by Noon To-Day—Solicitor Clarkson Favors Verdict of Murder in the First Degree.

The trial of Lewis Fletcher colored, for his life on the charge of willfully and with premeditation taking the life of George Boyd, colored, was begun in Superior Court yesterday morning and by evening all the testimony had been heard and one speech, for the defense, had been made to the jury. Mr. H. C. Jones, of Shannonsville, who is defending the prisoner, made this. This morning Mr. Shannonsville will speak and Solicitor Clarkson and Mr. F. M. Reed, presumably will close for the State.

Self-defense is the plea put up by the accused negro, who looks to be not over 30 years of age and fairly intelligent. Taking the stand in his own defense late in the afternoon, he admitted doing the killing, but swore that his victim had grievously threatened his life and was advancing upon him cursing, with hand drawn back toward his hip. Then he opened fire and Boyd fell mortally wounded.

The affair happened a few weeks ago near Hopewell, about a dozen miles from Charlotte. There were no eye-witnesses to the shooting itself though Fletcher was seen leaving the scene of the shooting a minute or two after the shots rang out. Little difficulty was experienced in securing a jury and the machinery of the law was shoved into motion at once. E. A. Aiken, a farmer of the vicinity in which the crime occurred, was the first witness. His testimony was used as a basis for that which followed. He described the topographical conditions and the relative locations of different places. A map was drawn and hung up where the jury could see it and witnesses were made to illustrate their remarks by reference to this.

The first Mr. Aiken knew of the killing was when news reached him of it as he was going to attend church services at Hopewell. Responding, he went at once to the place. On the ground lay the body of George Boyd. A bullet had passed through the roof of his mouth into his head. Another wound was in his knee. The two men had had some difficulty two weeks previous at a baseball game and this ill feeling had not improved. Yesterday afternoon Tom Boyd, the young brother of the man deceased, told of Fletcher's passivity by his home and asking where Boyd was.

HEARD THE SHOTS. The wife of Ed Maringer came nearest to being an eye-witness to the shooting. She was sitting down in the doorway, or thereabout, when she heard the pistol shots. In a few seconds she directed her attention to Fletcher coming from a spot where she afterwards found the body. Her house was about one hundred yards from the scene of the homicide. She thought Fletcher had been three or four yards from the body, which she could not see owing to a high cotton row.

Mr. Shannonsville tried his wit on the woman and succeeded in confusing her pretty badly on the measurements involved, and she left the stand with her testimony slightly weakened. As it covered a big hole, however, very important bearing on the issue anyway, as the main question is whether or not the killing was premeditated.

There was a renewed stir of interest as the prisoner's name was called and he pressed forward to the stand. The spectators craned their necks for a look at the man whose life was in jeopardy. In the "Tale of Two Cities" when the young man is placed on trial for treason in an English court, Dickens describes the moribund crowd as mentally quarantined, limb by limb. Something of this there may have been in the court room crowd—some spectator who mentally fancied the prisoner suffering the possible death penalty—but not much of it was there. The faces of the assembled ones reflected the humanizing influences of the past centuries. In all was interest, but in most a sort of compassion.

"I shot George Boyd," said the negro in the witness chair. "He threatened my life. He started to come and keep advancing on me. He reached toward his pistol pocket. I went back I went back," he repeated. "And then I shot him." Leaving the scene of the tragedy he did a number of persons who by had done, said he had done it in self-defense and intended to give himself up.

QUESTIONS AND ANSWERS. Solicitor Clarkson had a right good time when he waded in on the prisoner. Had he been in trouble before? No. What, did he mean to say that he had never been in trouble before? No, the prisoner didn't aim to say that. Well, what did he aim to say? He had been in a little trouble. A little trouble? What did he call a little trouble? Hadn't he shot a woman once? Yes, sir. Hadn't he shot a woman once? Yes, sir. And then turned around and shot her brother? No. What? No, sir. Why, did he mean to say he hadn't shot either? He shot a man at Catawba and then shot her brother Cyrus in the knee? Not as the witness knew on, but he had heard something like that. But the prisoner had a pistol, did he? Yes, sir, he had a pistol. Carried a pistol on Sunday, did he, too? No, it wasn't Sunday. Wasn't Sunday? Did he mean to say it wasn't Sunday? Yes, sir. The prisoner maintained firmly that it was Sunday night. (Ripple of laughter in court). Oh, then the prisoner would rather carry a pistol at night than in daytime, would he? Oh, no. Ah, when the prisoner would just as soon carry a pistol in daytime as at night would he? Makes no difference to him what time it is, that is? Prisoner relapsed helplessly into silence.

Very few witnesses were examined and the end of the case may be reached by noon. Ladies' Auxiliary Won't Serve Lunches at the Auditorium during the convention as it has been planned. The severely inclement weather has necessitated the abandonment of this plan, which was so successfully carried out at the Democratic protracted meeting. The Observer is asked to say that the services of those who so kindly have volunteered their help will be held in reserve until the charity bazaar this fall. Cured Hay Fever and Summer Cold. A. J. Nussbaum, Haverhill, Indiana, writes: "Last year I suffered for three months with a summer cold so distressing that it interfered with my business. I had a number of systems of hay fever, and a doctor's prescription did not reach my case, and I took several medicines which seemed to only aggravate my case. Fortunately I insisted upon having Foley's Honey and Tar and it quickly cured me. I have since used Foley's Honey and Tar with the same success." Sold by R. H. Jordan & Co.

SUMMONS ON SENATOR BUTLER

Summons in \$50,000 Civil Action of Judge Spencer B. Adams Against Senator Marion Butler For Libel Served in This City Yesterday. The summons in the much-talked-of civil action brought by Judge Spencer B. Adams, of Greensboro, chairman of the State Republican executive committee, against ex-Senator Marion Butler, for libel, was served yesterday afternoon by Sheriff N. W. Wallace, of Mecklenburg county, about 2 o'clock. Sheriff Wallace received a phone call from Mr. G. S. Bradshaw, of Greensboro, counsel for Judge Adams, who was at the Selwyn, asking him to drop around as he desired to have a summons served on a guest in the hotel. Sheriff Wallace made haste to call at the Selwyn and then this paper was given him. It was drafted in regular form and was made returnable in Greensboro, September 21st. Being a civil action, no specification of the amount of damages asked was given. It is understood, however, that the suit will be for the full amount of the property rights. These charges Judge Adams vehemently denied, declaring in the most forceful terms that they were altogether false and designed for a purpose. Judge Adams gave out an interview in Greensboro last Saturday in which he took innumerable falls out of Senator Butler, giving notice that an action for damages would immediately follow. Mr. G. S. Bradshaw, who had the summons served yesterday, is one of his counsel, the other being Maj. C. M. Steadman, R. C. Strickwick, of Greensboro, and J. A. Long, of Roxboro.

Resolutions in Memory of Judge Fred Moore. The following resolutions were adopted at the August term of the Superior Court of Moore county in memory of the late Judge Fred Moore, Hon. B. F. Long, Judge, presiding: Whereas, We have received intelligence of the death of the Hon. Fred Moore, one of the Judges of the Superior Courts of North Carolina, which occurred at his home in the City of Asheville on Friday evening, the 14th instant, and the members of the bar attending the present term of the Superior Court of Moore county wish to express their respect for his memory, and their sense of loss in his death, be it Resolved, That in the death of Judge Moore the State has lost a capable, efficient, impartial and learned judge, whose personality adorned the exalted position which he occupied; whose urbanity won the esteem and whose character won the admiration of the members of the bar, and whose sense of responsibility and love of justice gave the citizens of the State added confidence in the integrity of the courts and the administration of the law.

Resolved, That a copy of these resolutions be spread upon the minutes of this court, and that the clerk of the court be directed to transmit a copy to the family of the deceased. W. J. ADAMS, H. F. SEAWELL, U. L. SPENCE, L. D. ROBINSON, Committee.

Another Real Estate Company. The thirty-third real estate agency for the City of Charlotte is the People's Loan and Trust Company, which has just been granted a charter by the Secretary of State, with an authorized capital stock of \$125,000, and a paid capital of \$10,000. The incorporators are: Messrs. W. L. Nicholson, W. M. Long and J. L. Davis, all men of means and influence. The purpose of the concern is to do a general real estate and brokerage business.

MOSS IS ACQUITTED. Verdict of Not Guilty Returned by Superior Court Jury in Case of Young Man Charged With Passing Bad \$5 Bill With Fraudulent Intent. "Not guilty." That was the finding made by the twelve men who had the weighing of the case of William Moss, the young man who stood charged with a felony, the passing of bad money with intent to defraud. The case, which was on trial for several hours Monday afternoon, was concluded yesterday morning and only a few minutes' deliberation was required by the jury in order to reach its verdict. The bill in question was one by a South Carolina State bank. The boy proved that his father had given him a bill on the morning on which the difficulty occurred and that, even if this were the one, he had no way of knowing whether it was good or bad. The case was warmly contested, and a hard fight was made for the boy's freedom, as conviction would have meant a penitentiary sentence of not less than four months.

Rev. F. D. Jones on Vacation. Rev. Frank D. Jones, pastor of Westminster Presbyterian church, left yesterday afternoon for New York, where he will spend a vacation of several weeks. On two Sundays, by special invitation, he will preach in an Albany church. Next Sunday Rev. George E. Robertson, pastor of Steele Creek Presbyterian church, will occupy the pulpit at Westminster. On the Sunday following, Rev. Alexander Martin, now of H. C. S. S. S. will preach, being succeeded a week later by Rev. Eugene Caldwell, of Texas.

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