

THE WEATHER TO-DAY.
For North Carolina:
Partly Cloudy.

The News and Observer.

THE WEATHER TO-DAY.
For Raleigh:
FAIR.

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RALEIGH, NORTH CAROLINA, WEDNESDAY MORNING, MARCH 12, 1902.

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WILCOX INDICTED BY THE GRAND JURY

His Arraignment For Murder
Follows Quickly.

NOT GUILTY, HE PLEADS

Calm and Smiling He Goes Through
the Ordeal.

A LARGE CROWD GATHERS IN THE COURT

The Drawing of Talesmen. It is Believed There
Will be Much Delay in securing a
Competent Jury to Try
the Case.

(Special to the News and Observer.)
Elizabeth City, N. C., March 11.—"Not guilty," pleaded James Wilcox, through E. F. Ayldred, one of his lawyers, this afternoon when arraigned to answer for the death of his one-time sweetheart, Ella Maud Crosey.

Judge Jones announced before lunch that Wilcox would be arraigned the first thing when court re-convened and that brought the biggest crowd of lookers on that had yet assembled. The prisoner was brought into court promptly. It was the first time he had been out of doors for many days. The defendant sat down near his counsel. His father, former Sheriff Tom Wilcox, took a chair just behind him.

"Stand up," commanded District Attorney Ward, addressing the prisoner, "and hold your right hand. Now put it down."

Wilcox remained standing while the State's attorney read the following indictment in a clear voice:

"State of North Carolina, Pasquotank county, Superior Court, March term, 1902. The jurors for the State, upon their oath, present that James Wilcox, of the county of Pasquotank, State of North Carolina, on the 20th day of November, 1901, with force of arms at and in the county and State aforesaid, feloniously, wilfully and of his malice aforethought did kill and murder Ella M. Crosey, against the form of the statute in such case made and provided and against the peace and dignity of the State."

The indictment bore the signatures of Geo. W. Ward, solicitor, and C. J. Ward, foreman of the grand jury.

During the reading of the indictment Wilcox looked straight ahead but did not watch the reader's face. He seems in excellent health and is some fifteen pounds heavier since his incarceration, but the prison pallor is on his face. His eyes are the weakest part of the expression.

Wilcox was nicely dressed, wearing a well fitting dark coat and light trousers, freshly laundered linen, turn down collar, black bow tie and newly polished shoes. His hands were folded across his lap during most of his stay in the court room. He gave no token of nervousness, but on the contrary smiled pleasantly once or twice at something the lawyers were saying.

"How will the defendant be tried?" asked the court.

"By God and his country," responded an attorney.

The prosecuting counsel declared the State's readiness to enter the case Thursday morning and the defense lawyers said they would be ready Thursday or Friday of this week. It was finally agreed that the case should be called at 2 o'clock Thursday afternoon.

It was decided, after discussion, that 250 veniremen would be necessary to start with and Sheriff Grandy got a warrant box containing the names of prospective talesmen. Ten year old William Young was brought in to draw the names which were read out by Sheriff Grandy and copied by counsel and others.

The name reading developed the fact that twenty-two of the persons mentioned had died or moved away and that brought about a discussion of the statute which provides that the list shall be revised every two years. Register of Deeds Spence was sworn and gave evidence. Defense's counsel noted exception to the drawing of the names from the box and it was contended that only one of those drawn had been away more than two years.

Among the talesmen drawn are H. T. Greenleaf, chairman, and L. L. Wampler, of the citizen's committee of five who directed the search for Nell's body, and J. A. Kramer, another committee man.

It is believed there will be much delay in getting a competent jury, though that obstacle would not be alleviated by a removal to another county, since the case has attracted almost international interest.

When the drawing of names was done with there were only five left in the box. The prisoner's lawyers made no attempt to have a change of venue. That was determined upon at a conference of the attorneys last night. They decided that their client would have as good a showing here at home as anywhere.

Wilcox's father said tonight that only two witnesses had been summoned by the defense so far. One of these is Charles, brother of Caleb T. Parker, who said he saw a man have in his arms a woman near the Crosey home on the night of the disappearance. The defense will seek to prove by Charles Parker that Caleb was at home before Nell Crosey disappeared.

The prosecution has summoned Capt.

Leonard Owens and H. Bailey, of the steamer Roy, which passed in front of the Crosey residence about the time Nell was murdered.

Though some of Wilcox's friends had hoped the grand jury would not find a true bill, the prisoner himself said this afternoon that he was not surprised at the indictment.

The grand jury, after having been on the Wilcox case since early morning, in pursuance of District Attorney Ward's instructions reported in court at 12:15 o'clock. There was a hush as they filed down the center aisle and Mr. Ward stopped in the midst of an argument about another case. The find of grand jury was not read in open court, but word of the indictment was soon passed around.

The witnesses called by the grand jury were Miss Carrie L. Crosey, of New York, a cousin of Nell; Miss Ollie Crosey, the dead girl's sister; Dr. J. E. Wood and Dr. I. Pearing, who conducted the autopsy; J. H. Roy, coroner's jurymen; Justice W. H. Crosey, Nell's father; Caleb T. Parker and Capt. Leonard Owens, of the steamer Roy.

The grand juryman had no difficulty in agreeing to the bill of indictment when the evidence was in.

Miss Carrie Crosey and Miss Ollie Crosey came to court about 11 o'clock. They went to the main court room through mistake and were ushered to seats in an enclosure occupied by lawyers and reporters. After a few minutes they were shown to the grand jury room on the first floor.

ED S. BATTLE'S CASE Was Argued in Supreme Court Yesterday.

Ex-Gov. Russell Opened For Defendant. Attorney Gilmer For the State. The
Liquor Case.

Yesterday morning in the Supreme court the case of the State against Ed. S. Battle was argued. This is an appeal from the sentence imposed upon Battle by Judge Robinson last September, for an assault upon Mayor A. M. Powell, of this city.

Ex-Governor Russell opened the argument for the defendant, and Mr. S. P. Mordcau and Hon. Jos. B. Batchelor closed. The Attorney General made the argument on behalf of the State.

The defendant's counsel, Messrs. Russell & Gore, S. P. Mordcau and W. N. Jones, filed a printed motion to reverse the judgment, with a brief supporting such motion. The points made by defendant's counsel are:

1. That the bill of indictment is factually defective as far as the charge of assault with "serious injury" is concerned, because it fails to specify the nature and extent of the injury.

2. That the bill practically charges two offenses—assault with serious injury, and simple assault within one mile of the court house; and as there was a general verdict of guilty the court could not pronounce judgment.

For these positions defendant relied upon State v. Earnest, 38 N. C., 740, State v. Right, 124 N. C., 845, and several other cases cited in the brief.

The Attorney General, while not admitting the correctness of defendant's contention, insisted that in no event should the court grant a new trial, but, at most, should remand the case to the court that a proper judgment be entered.

What are known as the liquor cases are to be argued in the Supreme court today. These involve about \$15,000. For a long time the city of Raleigh has been collecting license taxes from saloons which were outside of the city limits, but within the police jurisdiction of the city. A bill was passed by the last legislature providing that all cities must refund money collected on liquor licenses from parties outside the corporate limits. At the time of its passage the effect of the bill was not appreciated.

But no sooner had the legislature adjourned than ex-Governor Russell and Attorney E. J. Best brought suit against the city on behalf of all the liquor dealers who have conducted places outside of town. The city appealed from the Superior to the Supreme court, and City Attorney W. L. Watson argues before the Supreme court for the city.

THE FUGITIVES IN CANADA.

State Department to be Asked to Take Steps
For Their Extradition.

(By the Associated Press.)
Quebec, March 11.—Col. John F. Gaynor, who with his wife and his partner, D. B. Greene is stopping at the Chateau Frontenac, in this city, said to an Associated Press reporter today that he and Mr. Greene are not here in hiding from the United States court at Savannah, Ga. Asked if they intended returning to the United States, Col. Gaynor replied that they might return on the 17th instant.

Washington, March 11.—The officials of the Department of Justice are looking up the law and the treaty bearing on the subject and as soon as this is completed they will ask the State Department to take steps to secure the extradition of the men.

MALLORY OPPOSES SUBSIDY SCHEME

Against Public Bounties For
Private Individuals.

RECIPROCITY BOBS UP

Is the Sugar Trust to be Its Chief
Beneficiary?

HOUSE WONT DISCUSS THE QUESTION

Burleson Attacks Hay For Declining to Ask the
British Government For Passports For
Rev. Hiram Thomas and
His Wife.

(By the Associated Press.)
Washington, March 11.—For several hours today the Senate had the Ship-Subsidy Bill under consideration. Mr. Mallory, of Florida, made an extended speech in opposition to the measure. He analyzed the bill carefully and held that there was no good reason for its enactment into law, saying he believed it would not accomplish the results hoped for by its promoters. His opposition was based chiefly on the ground that it would extend the favor of the United States Treasury to private individuals and corporations without a just return for the expenditure.

Prior to consideration of the subsidy measure, a lively debate occurred over an effort on the part of Mr. Berry, of Arkansas, to ascertain when the Committee on Privileges and Elections might be expected to report to the Senate the resolution providing for the election of Senators by direct vote of the people. Mr. Hoar, of Massachusetts, indicated his vigorous opposition to such a resolution, on the ground that it would subvert the fundamental principle upon which the Senate was founded.

Mr. Burrows, chairman of the Committee on Privileges and Elections, said the committee would take action on the resolution in time to get a vote on it at this session. A number of Senators discussed the subject.

Mr. Mallory said in his ultimate analysis the Ship-Subsidy Bill was a measure to take the money of the tax payers to build up the private business of individuals and corporations. Referring to Mr. Frye's argument in support of the establishment of an auxiliary navy for which the pending bill provides, he did not believe there was sufficient justification for the extraordinary expenditure proposed by the bill. In the event of a war between the United States and Great Britain, France, Germany, Russia, or any other great maritime power, this country would find itself in a very difficult situation from which it was in during the Spanish war. The proposed auxiliary cruisers would not be left to scour the seas, because it was the policy of all the nations named now to build war vessels which could easily overtake any one of the ships which by the pending bill would become a part of the naval auxiliary fleet.

Mr. Mallory contended that the proposition to give subsidies to great carrying vessels would accomplish little in aid of commerce, because a majority of the ports of this country and in South America were so shallow that vessels of a draft greater than twenty-three feet could not enter them.

After analyzing at length the provisions of the measures, Mr. Mallory declared:

"Congress never in its history passed a measure of this character. It has passed many laws to advance private gain under the pretense of public policy, but never one so absolutely bald and bold in its advancement of private purposes as this measure."

He felt humiliated, he said, every time he visited the water front of his city in fact that with the exception of schooners and coasting vessels the American flag is never seen upon a mast in that harbor. He would go as far as any Senator to put the American merchant marine on a footing of equality with that of other nations, but he could not endorse a measure such as this, which was so at variance with every principle of right and justice.

Mr. Frye referred to the fact that it had been claimed that the clause in section six of the Ship-Subsidy Bill, which directs payment to the owner or owners of any vessel of the United States "duly registered by a citizen of the United States" would place under the provisions of the bill the four ships that had been admitted to an American register. He therefore submitted an amendment which was adopted, making the clause read: "Hereafter built and registered in the United States or now duly registered."

Against Excluding China.

(By the Associated Press.)
Pekin, March 11.—The Chinese Government has presented to the United States Minister, Mr. Conger, a strong memorial against the re-enactment of the Chinese exclusion law by the United States. The Government here particularly objects to the exclusion of Chinese from the Philippine and Hawaiian Islands, representing that the Chinese had acquired extensive commercial interests there, and were closely connected with the islands by family ties.

THE HOUSE PROCEEDINGS

The Speakers Told of Everything But the Business Before Them

(By the Associated Press.)
Washington, D. C., March 11.—The House today entered upon the consideration of the Postoffice Appropriation Bill, but as usual during the general de-

bate on an appropriation bill, the members who spoke devoted themselves to everything except the bill before the House. Earlier in the day Mr. Thayer, (Mass.), attempted to take advantage of the division among the Republicans on the subject of reciprocity by bringing forward a resolution to investigate the reports that the sugar trust would be the chief beneficiary of Cuban reciprocity, that it was subsidizing newspapers, establishing literary bureaus, and in other ways attempting to create public sentiment in favor of Cuban reciprocity.

Mr. Thayer appealed from the decision and his appeal was laid on the table 125 to 87, the Republicans voting solidly in the affirmative, while two Democrats, Messrs. Fleming, Georgia, and McClellan, New York, voted with the Republicans.

The feature of the day was a speech by Mr. Burleson, attacking Secretary Hay for declining to request the British authorities to furnish passports to go through the British lines to Rev. Hiram W. Thomas and wife, who desire to go to South Africa to distribute Boer relief funds collected in Illinois. Mr. Hill, Ills., chairman of the Foreign Affairs Committee, made a spirited reply to Mr. Burleson, charging the Texas member with attempting to prejudice the case before the evidence was in.

Mr. Burleson sent to the clerk's desk and had read a letter from John O. Knight, who came to Washington to secure the passports for Dr. Thomas and wife. Mr. Knight in the letter stated that the funds were collected in response to an appeal by Governor Yates. He had gone to Secretary Hay, the letter said, with a letter from Senator Culbourn and Secretary of State, according to the letter, had declined on the ground that it would extend the favor of the United States Government. Mayor Low was also a caller, and the Prince, in bidding him farewell, gave him a hint that he had some intention of returning to America for a second visit. The Prince in reply to the Mayor's expressions, said:

"I thank the citizens of New York for all their kindness to me which I appreciate deeply. If I should return to America I should feel, when I reached New York that I was once more at home."

The members of the party that accompanied the Prince on his tour were his guests at luncheon. Covers were laid for twenty-eight persons in the dining room of the steamship and music was furnished by the band from the Hohenzollern. At the close of the luncheon when it came time to say good by, the Prince, taking a rose from the table, said:

"This is the badge of that which I have been admiring during my entire trip to the United States—American beauty."

He pressed his flower in his button hole and each guest followed his example. Admiral Evans, taking the Prince by the hand, said:

"I have only this to say to Prince Henry and my brothers of the German navy. We are glad you came and sorry you are going, and hope you will come again. It gives me great pleasure as the representative of the American navy to seize the hand of the Deutschland and to extend across the Atlantic."

hen General Corbin said:

"We have all enjoyed the trip and the memory of it will abide with me forever."

Assistant Secretary Hill said:

"The memory of your visit will always be in our hearts and the hearts of the Americans."

Immediately after the luncheon at the Prince's invitation the party went to the commander's bridge of the Deutschland and was there photographed. Then the real leave-taking began. The final farewells were said by members of the German Embassy at Washington.

An incident of the forenoon was the call of the committee of forty New York letter carriers, representing the New York branch of the National Letter Carriers Association. They came to present the Prince with a bronze tablet in commemoration of the martyred President of the United States, Lincoln, Garfield and McKinley. The letter carriers failed to see the Prince, and were received by Admiral Von Seckendorff in his behalf. In thanking them the Admiral said His Royal Highness, in return for the present would send the New York Letter Carriers Association his portrait with autograph, to hang on the walls of the organization's room in New York.

Shortly before the Deutschland sailed, the United Singing Societies of Hudson county, N. J., was heard on the deck of the Princess Victoria Louise, which lay alongside the Deutschland, and sang a number of selections. Prince Henry appeared on the bridge of the Deutschland with Captain Albers and bowed his acknowledgments repeatedly.

When the ship sailed all approaches and the pier house were crowded. The first cabin section of the Deutschland was packed all the afternoon with passengers and their friends, and in many cases women had to be rescued from the crush to see the Prince.

PRUSSIA'S PRINCE BIDS US FAREWELL

He Sails on the Deutschland
For Home.

HINT THAT HE MAY RETURN

A Farewell Luncheon With Pleasant
Little Speeches.

PASSING SHIPS GIVE A NOISY SEND OFF

The Prince Sends a Message of Thanks to the
President and Through Him to the
Nation For Kindly Feeling
Shown Him.

(By the Associated Press.)
New York, March 11.—Prince Henry of Prussia, sailed for Germany on board the Hamburg-American liner Deutschland this afternoon. His last day in America was spent entirely on board the Deutschland, but it was well filled with pleasing incidents.

The Prince breakfasted early and about 10 o'clock began to receive official farewell visits from the representatives of Germany in this country, and those of the United States Government. Mayor Low was also a caller, and the Prince, in bidding him farewell, gave him a hint that he had some intention of returning to America for a second visit. The Prince in reply to the Mayor's expressions, said:

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and three other adjoining rooms especially connected and prepared for the use of His Royal Highness. The social hall on the Deutschland was beautifully decorated with flowers, and there was a profusion of them in the Prince's suite of rooms. The company had also tastefully decorated the pier.

The imperial yacht Hohenzollern started on her homeward trip at 2:40 o'clock this afternoon. A crowd witnessed the departure of the ship at her pier, and a cheer from the people was answered with a salute by whistle from the Hohenzollern. For an hour before the time for sailing the crew and officers of the Hohenzollern held a levee, bidding farewell to friends. The Hohenzollern is under orders to proceed to Bermuda, where it makes its first stop.

Henry's Message to Roosevelt.

(By the Associated Press.)
Washington, D. C., March 11.—The following exchanges took place between Prince Henry of Prussia, who sailed for Europe on the Deutschland and President Roosevelt:

"Hoboken, N. J., March 11, 1902.
"The President of the United States: On this day of my departure, I beg to thank you personally as well as the nation, whose guest I have been, for all the kindness, consideration and good feeling I have met with during my visit to your interesting country. I hope that my visit may have increased the feelings of friendship between the country I represent and the United States. Bidding you farewell, let me wish you every possible success, and pray, remember me to Mrs. Roosevelt and Miss Roosevelt, who so charmingly and with so much pluck accomplished her task when launching Her Majesty's yacht 'Meteor'—once more, most hearty thanks. May we meet again.

"HEINRICH,
Prince Von Prussia."
"White House, Washington, March 11, 1902.
"Henry, Prince of Prussia, Steamer Deutschland, Hamburg Dock, Hoboken, N. J.
"Not only have I enjoyed your visit personally, but on behalf of my countrymen I wish to express to you the pleasure it has been to see you and the real good I think you visit has done in promoting a feeling of friendship between Germany and the United States. It is my most earnest wish that this feeling may strengthen steadily. Mrs. Roosevelt send her warm regards, and so would Miss Roosevelt if she were not absent. Pray present my heartiest greeting to His Majesty, the German Emperor. Again I thank you for your visit and wish you all good luck wherever you may be.

"THEODORE ROOSEVELT."

STIFFENS BRITISH BACKBONE.
Disaster Rouses Bull Dog Determination.
Rumor of Another Defeat.

(By the Associated Press.)
London, March 11.—Expressions of steadfastness have today succeeded those of humiliation, which were universally heard here yesterday, on the publication of the news of General Methuen's disaster. Lord Rosebery struck the popular note today in a speech before the Glasgow students. He admitted that it was heart-breaking after all the expenditure of life, time and money, but he added:

"It will not dishearten us. We have got to see this thing through. We must take the blows which fortune deals us with equanimity, showing ourselves worthy of better fortunes."

Reports from the continent that the defeat of General Methuen was followed up by another fight, also favorable to the Boers, occasion some anxiety, owing to the absence of news from General Grenfell's column of 1,300 men, which left Klerksdorp to join General Methuen. It is thought that, possibly General De Laere may have attacked Grenfell.

The War Secretary, Mr. Brodrick, when asked in the House of Commons today what steps had been taken in view of the success of the Boers against General Methuen, to send Lord Kitchener reinforcements, said 6,000 Yeomanry would be immediately embarked, with large drafts of cavalry and infantry. Lord Kitchener would be given all the assistance he asked for.

Daniel Speaks For the Minority.

(By the Associated Press.)
Richmond, Va., March 11.—In the Constitutional Convention this morning a resolution was introduced providing for a joint commission of the Legislature and the convention to recommend laws to put the new constitution into effect.

Senator Daniel consumed the principal part of the session of the conference in delivering an argument in support of the minority suffrage plan.

Fireman Killed in Collision.

(By the Associated Press.)
Alexandria, Va., March 11.—The north-bound Manassas Junction train on the Southern Railway dashed into a number of coal cars standing on the main track just south of Manassas Junction. Weston Atkinson, the fireman, was killed, and Thomas B. Rowan, the engineer, was seriously injured. The train was filled with passengers, but no other persons were injured.

Mr. Marion Lawrence, of Toledo, Ohio, Secretary of the International Sunday School Convention, will arrive in the city next Saturday afternoon and will address a mass meeting of the Sunday schools in the city in the Baptist Tabernacle Sunday afternoon at 3 o'clock. While here Mr. Lawrence will be the guest of Mr. N. B. Broughton.

HE VETOES THE BILL

Roosevelt's Foot Planted on
Bill Removing Charge
of Desertion.

(By the Associated Press.)
Washington, March 11.—President Roosevelt today sent his first veto message to Congress. It was directed to the Senate, and the bill vetoed was one removing the charge of desertion from the naval record of John Glass. The message was as follows:

"There can be no graver crime than the crime of desertion from the army or navy, especially during war; it is a high treason to the nation and is justly punishable by death. No man should be relieved from such a crime, especially when nearly forty years have passed since it occurred, save on the clearest possible proof of his real innocence. In this case the statement made by the affiant before the committee does not in all points agree with his statement made to the Secretary of the Navy. In any event it is incomprehensible to me that he should not have made effective effort to get back into the navy. He had served but little more than a month when he deserted, and the war lasted for over a year afterwards, yet he made no effort whatever to get back into the war. Under such circumstances it seems to me that to remove the charge of desertion from the navy and give him an honorable discharge would be to falsify the records and do an injustice to his gallant and worthy comrades, who fought the war to a finish. The names of the veterans who fought in the Civil War make the honor list of the Republic, and I am not willing to put upon it the name of a man unworthy of the high position.

"THEODORE ROOSEVELT."

After the message had been delivered Senator Gallinger, from the Committee on Naval Affairs, read the report of the committee on which the Senate acted. From that statement it appeared that Glass enlisted in January, 1864, when only 16 years of age, and that, having witnessed an act which compromised the second officer of the ship, he was taken ashore in March of that year by that officer and told not to report again for duty. The committee say that this officer, together with Glass' youth, was responsible for his desertion.

NEGRO DESPERADO CAPTURED.
Officer Henley Makes Use of the Butt of a Pistol With Good Effect.

(Special to the News and Observer.)
High Point, N. C., March 11.—Wiley Hargrave, colored, and a desperate character, was captured here late this afternoon by Chief of Police J. C. Henley, of Spencer. He is wanted for an aggravated assault with intent to murder. Last October Hargrave got a gun and defied everybody on the yards at Spencer. However, as soon as the officer appeared on the scene armed to the teeth, he made his escape. He is also wanted for robbery and other complaints.

Policeman Henley accidentally ran upon Hargrave, who was engaged in making mortar, and grappled him, but not securely enough to prevent what would have been a terrific attack on the officer had he not delivered some terrible blows on the negro's head with the butt of the six shooter in the officer's possession. The blood flowed freely from the wounds and at the time to take the train to Spencer tonight the negro's front presented quite a "reddish" appearance.

While here Mr. Henley also captured Preston Stone, white, who is wanted in his town for carrying concealed weapons. Stone himself paid the required bond of twenty-five dollars and was released. Policeman Henley's visit here was to capture other parties than those mentioned. For some time parties have been breaking into the freight cars at Spencer and in the last few months several thousand dollars' in goods have been taken. It was thought that some of the guilty parties were here, but the officer failed to find them.

TO PUT A TEAM IN THE LEAGUE
Greensboro Athletic and Baseball Association is Organized.

(Special to News and Observer.)
Greensboro, N. C., March 11.—The Greensboro Athletic and Baseball Association was organized tonight to put a team in the State League. C. C. Alton is elected president, and L. J. Brandt, secretary.

General Rain in Texas.
(By the Associated Press.)
Dallas, Texas, March 11.—The most general rain for over one year is falling in Texas today. Reports from north of Dallas show a heavy down pour, while there are light rains as far south as San Antonio. The rain was badly needed throughout the State, and it will prove of incalculable value to crops and cattle ranges.

A Murderer Hanged.

(By the Associated Press.)
Aberdeen, Miss., March 11.—Alvin Collier Williams, colored, was hanged here today for the murder of Marcus Kingale.

Hon. Hannis Taylor, of Mobile, Ala., lately United States Minister to Spain, has been appointed by the Attorney General, special counsel for the Government to aid in the defense of claims before the Spanish Treaty Claims Commission.