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Leads all North Carolina Daily Papers in Both News and Circulation

SUPERB STRUGGLE BETWEEN COUNSEL

A Battle Royal for the Life of Molineux.

BLACK HAS THE OPENING

He Establishes a Strong Motives for the Murder of Mrs. Adams by Cornish--Osborne

Makes a Brilliant and Logical Speech.

(By the Associated Press.)

New York, Nov. 10.—The fate of Roland B. Molineux will be determined tomorrow. When court adjourned this evening, Justice Lambert announced that he would allow Assistant District Attorney Osborne but two hours and a half more in which to finish summing up, which means that the court will deliver its charge and the case will go to the jury during the afternoon.

The court room was crowded to suffocation when, at the opening of today's session, ex-Governor Black rose to sum up for the defense. After a general defense of Molineux, whom, he declared, the prosecution had utterly failed to connect in any way with the death of Mrs. Adams, Mr. Black passed to a scathing denunciation of Harry Cornish to whose guilt, and not that of Molineux, he declared every circumstance in the case directly pointed. More than half of Mr. Black's address, which occupied nearly four hours, was devoted to Cornish. Mr. Osborne based his argument for the prosecution today largely on the testimony of the handwriting experts which, he said, conclusively showed Molineux to be the writer of the poison package address and of the other disputed exhibits.

New York, Nov. 10.—In opening his address, former Governor Frank S. Black said that Molineux was a director of the Knickerbocker Athletic Club where Cornish was employed. Molineux did not like Cornish and he did not like Harpster. He had many friends in the club and, perhaps, many enemies. Cornish wrote what Molineux considered an improper letter, and Molineux complained of it.

"Was that any reason for Molineux's sending to Cornish a quantity of poison sufficient to kill any man in that club?" asked Mr. Black. "Cornish insulted Molineux and Molineux behaved like a gentleman, regarding the difference of their station and passed on. Is that proof of murder? Nothing else under the sky has been produced here to indicate any motive Molineux could have for wanting to kill Cornish.

"The trouble between Cornish and Molineux occurred more than a year before the poison package appeared. No evidence has been presented here to show that in all that time Mr. Molineux said one unkind word, or uttered one uncharitable thought toward Cornish. All the evidence in this case points away from Molineux and to another man. I shall indicate who that man is before I sit down. The case points to that man just as surely as the needle points to the North Star."

Mr. Black laid great stress on Molineux's willingness to write for the prosecution when he was under suspicion before his arrest, and argued that it was remarkable that the experts had found few points of resemblance in his writing to the disputed writing. As to the Barnett letters, he said:

"I don't know and I don't care when or where they were mailed, and Molineux does not know and he doesn't care."

Counsel emphasized the testimony of the handwriting experts to show how they differed and how all admitted under cross examination there were hundreds of characters in the disputed and conceded writings that in no way resemble each other. Mr. Black said that if a man wanted to send a package to himself he would not need to write the address at all. "My office is full of envelopes and wrappers addressed to me," said he. "Could I not take one of those if I wanted to send myself a package? Molineux never wrote that address. I don't know who did, and in my opinion the man who wrote it has not appeared in this case."

Coming to the connection of Cornish with the case, Mr. Black declared that he was not arguing for the punishment of any one, but that he felt it his duty to show the whole case to the jury as he himself saw it.

"There was a crime and there was a motive," he said, "and the motive points to Harry S. Cornish."

Mr. Black recited from the records the story of Cornish's divorce, his meeting with Mrs. Rogers, and the separation from her husband, and her later divorce. "Mrs. Adams, Mrs. Rogers' mother, was a good woman," Mr. Black said. "Do you think she looked with complaisance on the conditions that prevailed?"

"There is motive, the great consuming motive force for all things. The motive Cornish had against the life of Mrs. Adams, compared to the motive Molineux had against the life of Cornish, was as the volcano of Martinique to the lapping of waves against the Statue of Liberty in our own harbor."

Mr. Black called attention to the evidence given, that the purchaser of the bottle-holder, in which the poison was sent, said he wanted the holder to match the silver on a lady's toilet table, and from that he argued that the purchaser knew the pattern of Mrs. Rogers' silver.

Cornish, who was in court, appeared to be little concerned by Mr. Black's line of argument. Once or twice, when

his name was mentioned, he laughed aloud.

Ex-Governor Black touched lightly on the testimony given by Mrs. Stephenson, and argued that extraordinary as it appeared, and fantastic as Mr. Osborne may call it, everything she said, was within the bounds of possibility. He reminded the jury that it was in reply to the prosecution and not to any questions from the defense that Mrs. Stephenson partly identified Cornish as the man she saw in the postoffice. Returning to Cornish, Mr. Black said:

"Cornish took that dirty little bottle home, but when did he take it home when he got it. He waited until he had arranged for five men to identify it in case of need. You are asked to notice that Cornish was willing to let his friend King take a dose of the stuff. Of course he was, but when he offered it to King, the poison was not in the bromo bottle. Prof. Withaus told you the poison was only at the top of the bottle and had not permeated the other stuff below. Cornish got it home just in time. He knew Mrs. Adams was subject to headaches and twelve hours after the bromo reached the flat, Mrs. Adams had taken it. She was gone. There was nothing now to stand in the way of that unlimited passion which burns cities and destroys empires."

Mr. Black argued from the testimony of the chemical experts who analyzed the contents of the glass from which Mrs. Adams drank, that Cornish lied when he said he drank a "good swallow" of the mixture, and quoted from Prof. (Continued on Second Page.)

HE IDENTIFIES MASON

Negro Says he Gave him Murdered Woman's Watches to Pawn.

(By the Associated Press.)

Cambridge, Mass., Nov. 10.—George Lee Perry, the negro who admits that he pawned the watches taken from Clara A. Morton and Agnes McPhee, who were murdered in Waverley and Somerville last month, was taken to court today. After a conference between the State officers and Judge Charles Almy, Perry was ordered held as a witness against Mason. His bail was fixed at \$1,000. It is understood that the decision of the police to hold Perry as a witness instead of arranging him as an accessory, was due chiefly to the fact that as a witness Perry can not only give testimony against Mason, but can be forced to tell of his own movements and every relation he has had with others during the time the assaults have been committed in Cambridge, Somerville and other suburbs.

Perry has positively identified Mason as the man who gave him the watches of the murdered women to pawn. Mason says he never saw the negro before. Under an arrangement made by Judge Almy and the police, both Mason and Perry will appear in court tomorrow.

It is believed, so complicated has the case become, that both the commonwealth and the defense will ask for another continuance in order that they may have time for continued investigation.

The Cambridge police are now strongly of the opinion that there is another negro who knows something of the whole case, particularly about the watches. He is older than Perry and is blacker. The man whom the police are hunting has been missing since the arrest of Alan G. Mason.

SALOON MEN TO FIGHT IT.

An Ordinance Passed for Removing Screens, etc., From Saloons.

(Special to News and Observer.)

Washington, N. C., Nov. 10.—At a called meeting of the city council the question of removal of swinging doors, blinds and stained glass windows in bar-rooms came up. After nearly a three-hours' session, in which a lawyer, representing the bar men, and the pastors of the Baptist and Methodist churches were on the floor, the ordinance was passed.

Bar-keepers say that a pool will be formed to defray the expense of making a test case of this matter. This case will be interesting, in that it is the first of its kind to come up in the State. The ordinance is effective January 1st and a restraining injunction will probably be resorted to to prevent its going into effect before a court hearing.

The time for the second trial of James Wilcox is drawing near. It is set for trial for Pasquotank Superior court, which convenes November 17th. There is little probability that the case will be moved to any other town and your correspondent has reliable letters saying that new evidence of a rather startling nature will be introduced.

S. G. LEA'S WOUND.

Injured With a Knife by an Old Schoolmate of His.

(Special to News and Observer.)

Danville, Va., Nov. 10.—Mr. S. G. Lea, of Caswell county, N. C., is at the Home for the Sick, suffering with a knife wound inflicted by a Mr. Neal, who was his school comrade at Scottsburg. Mr. Neal became angered over a joke and stabbed his friend in the back as the latter was entering the dining room. Mr. Lea was making his way home when the bandages became loosened and the wound broke out afresh. He stopped over here and placed himself in the hands of his uncle, Messrs. John G. and George A. Lea. He was conveyed to the Home, where he has been tenderly cared for since. It is not believed that his wounds will prove serious.

Mr. Neal expresses the deepest contrition for this rash act.

SMITH FOR SPEAKER

Gates Presents its Able and Experienced Legislator.

Easily one of the First Lawyers in the East, Mr. Smith is an Honest and Conservative Legislator.

To the Editor:—Inasmuch as the time is drawing near for another General Assembly to convene in North Carolina, it is advisable if not important that the thinking men for the next sixty days should be in touch with those who are to make the laws under which we are to live and be governed. The people are looking forward to the course of this Legislature with more than ordinary interest.

In any legislative body in which one political party is largely in the ascendancy, it is sometimes necessary to guard against ultraism. Now is the time to make conservatism the watchword. The interests of the people are always safe, when in the hands of able, honest and conservative men. The main object of this communication is to announce to the public that the friends of Hon. L. L. Smith, of Gates county, will urge his election to the Speakership of the House of Representatives. We consider Mr. Smith pre-eminently qualified for the position.

He is an able parliamentarian, and is always cool-headed and conservative. He has rendered long, faithful and able service to his party and his State. He was an able leader in the Legislatures of 1895 and 1901, and his record while there is an open epistle to the people of North Carolina.

Mr. Smith has for years been regarded as one of the ablest and most aggressive Democrats in the East. He is an able and incorruptible lawyer, a man of spotless character and the best type of the Christian gentleman.

W. T. CROSS,

Chairman Democratic Executive Committee of Gates County.

COTTON RAISING IN AFRICA.

Years will Elapse Before Africa can Compete Seriously with the South.

(By the Associated Press.)

Liverpool, Nov. 10.—Alfred Jones, president of the Liverpool Chamber of Commerce, has just received reports regarding the cotton growing experiments in West Africa. He said to a representative of the Associated Press:

"We sent out a hundred tons of American seed and divided it among all the British West Coast colonies. The results have been most satisfactory. The crops matured in ninety days and in quantity and quality were quite equal to those of the parent stock. Next season we shall send Egyptian seed and we hope for equally good results. The only question is whether we can make the natives work so as to put big plantations on a commercial basis. The native wages are four cents a day. But I am personally afraid that a number of years will elapse before we can make the West Coast of Africa serious competitor of the American Southern States. If we could transport the negro population of the Southern States to the West Coast there would not be any question of making Great Britain independent of the rest of the world for raw cotton. But I have had one experience with a negro colonization, and I do not believe it is possible to secure American negroes for the new cotton belt. We are sending out Americans to teach the natives cotton growing and must wait and see how the experiment turns out. The question of freight does not yet enter into the problem. The railroads and steamships have agreed to transport African cotton free."

MOODY FILES NOTICE.

He will Contest Gudge's Election in the Tenth District.

(By the Associated Press.)

Asheville, N. C., Nov. 10.—Congressman Moody, Republican, who was defeated by James M. Gudge, Democrat, in this district, today, filed notice that he will contest Gudge's election.

I. C. Declares it's an Independent Line.

(By the Associated Press.)

Frankfort, Ky., Nov. 10.—The Illinois Central Railroad Company today filed in the office of the Railroad Commission its answer to the complaint filed by the commission with the Inter-State Commerce Commission, some weeks ago, regarding the merger of Southern railroad lines. For answer, the company makes general denial of the charge that its stock and bonds have fallen into the hands of J. P. Morgan & Co. as owner or as trustee for the stock or bondholders. They deny further that they have entered into any contract with the Illinois Central and lines controlled and operated by it are independent and that the charge that they are in collusion with other lines is without foundation and untrue.

Spain's Cabinet Offers Resignations.

(By the Associated Press.)

Madrid, Nov. 10.—Premier Sagasta today tendered to King Alfonso the resignation of the entire Cabinet. The King will decide tomorrow whether he will accept the Ministers' resignations. The Cortes will be informed of the crisis today and will suspend its sittings until it is solved. Should the King accord a continuance of his confidence in Premier Sagasta, the ministry will be modified and probably the Ministers of War, Marine and Justice will be sacrificed.

LOST ON THE SHOALS

The Elingamite Wrecked Near New Zealand.

Forty-one on Board the British Steamer are Saved, Ninety-six are Reported Missing.

(By the Associated Press.)

Melbourne, Nov. 10.—The British steamer Elingamite, bound from Sydney, N. S. W., for Auckland, has been wrecked on Three Kings' Islands. Forty-one of those on board the steamer were saved and ninety-six are missing.

The steamer Elingamite belonged to Huddart, Barker & Company, of Melbourne. She was used in the general passenger and mail service, carried on by this company between the colonies and along the coast of Australia. She was built in 1887 at Newcastle-on-Tyne and was 1,675 tons net register. She was 310 feet long, 40 feet wide and 19 feet deep.

Three Kings' Islands is a group of small islands, thirty-eight miles north-west of New Zealand.

THE AUDUBON SOCIETY.

Big Negro Threatens to Knock de Staffin' Out'n his Reflection in Mirror.

(Special to the News and Observer.)

Greensboro, N. C., Nov. 10.—At a meeting of the Executive Committee of the State Audubon Society here Saturday night, one hundred sustaining members, each carrying an annual fee of \$5, were received into the society. Miss Selma Webb, of Shelby, was elected assistant secretary, and the following additional honorary vice-presidents were elected: S. L. Patterson, Esq., Raleigh; Prof. R. D. W. Connor, Wilmington; Mayor A. H. Boyden, Salisbury; Mr. J. Van Lindley, Greensboro; Mrs. J. Lindsey Patterson, Winston-Salem. It was decided to issue during the coming week or as soon as possible, 50,000 leaflets, 25,000 being an address to the people of the State explanatory of the purposes and plans of the society, the others being an article prepared by the secretary on the value of birds in agriculture.

Messrs. T. Gilbert Pearson and J. F. Jordan, of Greensboro; Dr. R. H. Lewis and Mr. W. H. Brimley, of Raleigh, were appointed a committee to draft and present to the coming Legislature new laws relating to the proper protection and preservation of birds of the State.

Messrs. Zeb Conyers and Eugene Sykes have purchased the big drug business of C. E. Holton, located on the northwest corner of the McAdoo Hotel building.

On Friday night, Mrs. S. A. Howard was very much alarmed to hear men carrying on a boisterous conversation, as she thought on her front piazza. Mr. Howard went down, and just as he reached the front door he saw Policeman Barnes enter and collar a big negro man, who was standing in front of a large mirror. Blacksdale had a few moments before gone into a neighboring house, and the police were "phoned for." By the time that Officer Barnes arrived he was told that the negro had come to Mr. Howard's residence, which accounted for the simultaneous meeting of Mr. Howard and the officer. Blacksdale had found the door unlocked, had walked in, and the conversation which Mrs. Howard heard was between himself and his image in the large mirror. Myers was insisting to the "other nigger" that a Greensboro nigger was no good compared to a Richmond darkey and was emphasizing it by sundry shakings of his fist, etc. He was drunk and bidden by the mayor to go and sin no more.

Col. Jno. N. Staples, ex-Judge W. P. Bynum, and State Solicitor A. L. Brooks left for Richmond last night to argue the case of Fisher et al. against the Greensboro Water-works Company in the United States Circuit Court.

Rev. Dr. Turrentine, at West Market Street Methodist church preached a special sermon in the interest of the Young Woman's Christian Association of the State Normal and Industrial College and the Greensboro Female College yesterday.

Mr. S. A. Carr, who has been superintendent of the First Presbyterian Sunday-school for thirty-seven years, resigned yesterday and Mr. J. M. Hendricks was selected to succeed him.

COLLISION ON SOUTHERN.

Two Freight Trains Collide and Ten Cars are Demolished, no Lives Lost.

An engine dashing into the rear cars of a freight train caused a big smash up on the Southern Railway just this side of Morrisville on Sunday evening.

Ten cars were broken into fragments and a big locomotive was thrown down a fifty foot embankment into a cornfield. Engineer Sid Terrell and his fireman jumped from the engine just in time to save their lives. Flagman Robert Bell, of Raleigh, was badly hurt and Engineer Terrell severely bruised. The fireman escaped unhurt.

A local freight in charge of Conductor Davis and Engineer Canoe left Raleigh Sunday afternoon shortly before 6 o'clock. Reaching Morrisville the cars were left forward to the water-tank.

Shortly after six another freight left Raleigh in charge of Conductor Robert Weaver and Engineer Sid Terrell. The cars ahead near Morrisville were around a curve on an embankment about fifty feet high. As the cars ahead were seen the engineer and the

fireman jumped just in time to save themselves and the engine, going at about 25 miles an hour, went plunging into the cars.

It spit right into these and demolished ten of them. As it hit the caboose there was a great crash, the engine plowed into the wreckage, and then twisting up it left the track, toppled and went crashing down the embankment.

The ten cars that were broken to pieces were loaded with cotton, various articles of merchandise and vegetables. These were scattered all along the track and down the embankment in a complete mass of wreckage, the destruction of the cars being about complete. It took until nearly 10 o'clock Monday to repair damages so as to allow trains to pass.

None of the railroad men on the train that was struck were hurt and of those plowed into the train doing the damage Flagman Robert Bell had his mouth mashed and lost a number of teeth by being thrown violently against a car, while Engineer Terrell's injuries come in bruises received from his fall when he jumped.

The smash-up is said to have been caused by the failure of the flagman on the first train to get back of his train in time to flag down the second train, which was running close behind the first.

GREAT YIELD OF CORN

Preliminary Estimate Shows it far Above the Ten Years Average.

(By the Associated Press.)

Washington, D. C., Nov. 10.—The preliminary estimate of the average yield of corn per acre, as published in the monthly report of the statistician of the Department of Agriculture is 28.6 as compared with an average yield of 16.7 bushels in 1901, 25.3 bushels in 1900, and 18.99, and a ten-year average of 23.4 bushels.

The following table shows the preliminary estimates of average yield per acre in bushels, in 1902, for the Southern States:

Missouri, 39.0; Texas, 8.1; Georgia, 9.0; Tennessee, 21.0; Kentucky 27.0; Alabama 8.4; North Carolina, 14.2; Arkansas, 20.9; Mississippi, 11.5; Virginia, 21.6; South Carolina, 10.7.

It is estimated that about 1.9 per cent of the corn crop of 1901 was still in the hands of farmers on November 1, 1902, as compared with 4.5 per cent of the crop of 1900 in farmers' hands on November 1, 1901. The preliminary estimate of the yield per acre of potatoes is 95.4 bushels, against an average yield per acre of 85.5 bushels in 1901.

Of the eleven principal sweet potato producing States, six, including Georgia and South Carolina, report average yields per acre of sweet potatoes in excess of their ten years averages, and five including North Carolina and Alabama report yields below such averages.

All of the ten principal tobacco States except Pennsylvania report average yields per acre of tobacco in excess of their ten-year averages. The quality of the tobacco crop is fair.

The estimated production of sugarcane in percentages of a full crop is as follows:

North Carolina and Texas, 85; Georgia, 84; Louisiana, 82; South Carolina, 76; Florida, 75; Mississippi, 71, and Alabama, 67.

The estimated average yield per acre of rough rice in bushels is as follows: Louisiana, 25.5; North Carolina, 31; South Carolina, 23.3; Georgia, 31.0; Florida, 27.0; Alabama, 25.2; Mississippi, 19.4, and Texas, 45.0.

DEBATES WITH PRINCETON.

Arrangements Being Made for the University to Meet This College.

(Special to News and Observer.)

Chapel Hill, N. C., Nov. 10.—It is reported from an authentic source that negotiations are now under way between the University of North Carolina and Princeton University looking forward to the perfection of arrangements whereby a series of debates may be held. At this early date it is impossible to ascertain when and where these debates will occur. Judging, however, from the celebrity of the two institutions, it is more than certain that New Jersey, for the next two years, will be offered the opportunity of hearing true North Carolina logic and eloquence.

Funeral of Mr. George Worth.

(Special to News and Observer.)

Asheboro, N. C., Nov. 10.—The funeral of Mr. George Worth was conducted from the Presbyterian church today at 3 o'clock, by Rev. George Atkinson, of Charlotte.

A large crowd was present. The floral designs were perhaps, the most beautiful and the most numerous ever seen here on similar occasion.

Mr. Worth was the son of Mr. and Mrs. Thomas C. Worth, and grandson of the lamented Dr. J. M. Worth. He was just growing into manhood and had bright prospects for a useful life.

The citizens of Asheboro will always have tender memories of the life of the good young man.

Resent Moody's Charge.

(Special to News and Observer.)

Asheboro, N. C., Nov. 10.—A letter to the Citizen from Rutherford says there were positively no frauds in the election there, and people resent the charge to that effect made by Moody.

The official majority for Cathey, Democrat, Senator in Thirty-eighth district, is 335.

EXCLUDED NEGROES AND LOST HIS HEAD

Alabama Collector of Internal Revenue Removed.

J. H. BINGHAM IS THE MAN

He is Held Responsible in Part for the Exclusion of Negroes From Participation in the Alabama Republican Convention.

(By the Associated Press.)

Washington, D. C., Nov. 10.—Julian H. Bingham, Collector of Internal Revenue for the District of Alabama, has been removed from his office and Joseph O. Thompson appointed to succeed him. The change was made as a result of a political condition which recently arose in Alabama. Colored Republicans were excluded from participation in the Republican State convention, and Collector Bingham was held responsible, at least in a measure, for their exclusion.

Postmaster General Payne visited the White House and as he left the executive offices made public the following statement defining the reasons for the change:

"The change in the office of Collector of Internal Revenue for the District of Alabama, in no wise reflects upon the integrity of Mr. Bingham, the incumbent of the office. It is one of those things which occasionally happens in politics. The position taken by the Republicans of Alabama at their recent State convention, as understood by the Republicans of the North, is looked upon as a perversion of the fundamental principles of the Republican party, and Mr. Bingham is, in a measure, held responsible for that action; hence the change.

"Neither the administration nor the Republican party of the North will stand for the exclusion of any section of our people by reason of their race or color, when, in other respects, such persons have complied with the laws and are eligible under the law to full and free participation in political action, and are of a high standard of personal character. In other words, there are a few hundred colored men in Alabama who come up to the requirements of the recently adopted State Constitution and are eligible for participation in political affairs, and the action of the Republican State convention referred to, in arbitrarily excluding them is not approved; no more than such action would be approved if it were taken in Ohio or Indiana."

Mr. Thompson, the appointee, is a brother of Representative Thompson, of Alabama. He is a Republican, although his brother represents a Democratic district.

The President has appointed John S. Webb postmaster at Tuskegee, Alabama, vice Joseph O. Thompson, appointed collector of internal revenue of Alabama.

THE NEGRO SUFFRAGE CASE.

Jurisdiction Principal Point in This Matter Sent to Supreme Court From Alabama.

(By the Associated Press.)

Washington, D. C., Nov. 10.—The United States Supreme Court today granted a motion for an early hearing in the case of Jackson W. Giles vs. the Board of Registration of Montgomery, Ala., involving the question whether the suffrage provisions of the new constitution of the State of Alabama is repugnant to the 14th and 15th amendments to the Constitution of the United States. Giles, who is a negro, and resides in Montgomery county, alleged that 5,000 others of his race on authentic color while certificates were issued to all white men who made application. This, he says, was done to prevent the members of his race exercising the right of franchise in the recent election. The question of jurisdiction is the principal point involved in the case and there will be no oral argument, the case being presented on printed briefs.

LIVES AND DIES A MYSTERY.

The Passing Away of W. E. Chivers at Durham, Damage Caused by Trolley Slipping.

(Special to News and Observer.)

Durham, N. C., Nov. 10.—W. E. Chivers, the painter and decorator, a man who was certainly an artist, died at the Watts Hospital Sunday afternoon at 5 o'clock, his death being caused by heart trouble. He died within a few minutes after he reached the hospital.

The man died as he had lived—alone and a mystery. A great many of our people knew him as Chivers, the painter, but no more. His most intimate friends, if those who knew him best can be termed intimate friends, knew practically nothing about him, although he lived in this section for eight years or more. Neither did he leave a scratch of a pen or people are or whence he came. There is a story—or rather vague rumor—that he was born in Philadelphia and later lived in Massachusetts, that he has a wife from whom he had parted and a son about 21 years of age, but no one knows of these facts.

Sunday afternoon the slipping of a trolley on one of the street cars on Main street caused considerable damage. Several fire boxes and fire gongs were burned out and thirty-five Interstate telephones were put out of service for some time by the burning out of fuses