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TRENCHANT BLOWS DEALT BY COUNSEL

Uzzell, Pou and John E. Woodard Fill the Day With the Fire of Their Eloquence.

IT IS A BATTLE ROYAL

The Opinion in Wilson Now Seems to be That the Case Will Reach the Jury This Afternoon.

(Special to News and Observer.)

Wilson, N. C., June 26.—This has been a day of argument in the Jones murder trial. Mr. J. R. Uzzell for the State concluded his argument which was begun yesterday. His speech was filled with earnestness, an appeal to the jury to stand up bravely and render a verdict, not according to friendly feelings they might have had for the defendants, but according to the evidence brought out in this trial.

Mr. Uzzell's speech impressed all as an able appeal for justice to those who on the 14th of May committed the most horrible crime in the history of Wilson county.

Mr. Pou for the defense followed Mr. Uzzell in an able speech of two hours. It was no surprise to Wilson people that Mr. Pou's speech should be an able appeal for his clients. While impressing the jury with their obligations he urged that their minds be tempered with mercy for these men who have been connected with this killing by a chain of circumstances. His plea was circumstantial evidence, and right well did he place this idea before the jury. He urged that while this evidence was circumstantial, strong as it was claimed to be by the State, the law said that a man is innocent until his guilt was proven beyond all reasonable doubt.

Mr. Pou's speech was received with careful attention, not only by the jury, but a crowded court house as well.

The entire afternoon of the court was consumed by the argument by Jno. E. Woodard, Esq., for the defense. His speech consisted principally in holding up in ridicule to the jury the confession of W. W. Barnes.

The opinion is now that the case will reach the jury tomorrow afternoon.

(Continued on Second Page.)

Durham Bar Room Seized and Closed.

(Special to News and Observer.)

Durham, N. C., June 26.—The Durham Elks are going to Baltimore, some twenty to thirty strong to attend the annual meeting of the Elks to be held next month.

A Durham bar-room is now under arrest. The constable of this township, armed with papers from Justice Gunter, has seized and closed the bar-room of A. P. Terry. This was done on a writ of attachment in favor of W. Magum, Jr., who claims that Mr. Terry owes him \$127.65. In the meantime W. J. Woods, who has been managing the business, claims that he is entitled to about \$300 on back salary.

The Mangum matter was heard before Justice Gunter this morning, and he gave a verdict for the amount claimed. The business is still closed and will be sold unless there is a settlement of the claim.

Durham dirt is bringing nice figures these days. Yesterday and today some eighty lots were sold in the extreme western part of the city, and these brought in a total of about twenty thousand dollars. This is a very good price when the location of some of the property is taken into consideration.

The Blackwell Durham Tobacco Company listed taxes yesterday and the amount of property given in shows an increase of between ninety and one hundred thousand dollars over last year. The total amount of property listed amounts to \$1,376,715. This makes the fourth concern that has given in property here this year of the average value of more than a million dollars. Today there was a rush to give in property for taxes. Under the new law property is being listed higher as a rule than a year ago. The increase in this county this year will be considerable.

In the police court yesterday John Smith, a white boy, was tried on the charge of cutting Billy Cash, a negro. The fight occurred several days ago and the abdomen of Cash was ripped open. Since then he has been in the hospital and was only able to leave today. After hearing all of the evidence young Smith was bound over under a bond of \$200. He gave bond immediately and was released. The fight occurred over a game of marbles. The white boy is about twelve years of age and the negro he cut is about fourteen.

The Brevard Epworth School.

(Special to News and Observer.)

Asheville, N. C., June 26.—Mrs. McDowell, Miss Bennett and Miss Hammond, of Nashville, Tenn., who were guests of the Battery Park Hotel, left yesterday for Brevard. These ladies are representatives of the Woman's Home Mission Board of the Methodist church. They were accompanied by several members of the board of trustees of Brevard Epworth School. The advisability of permitting the Woman's Home Mission Board to take charge of the school at Brevard will be decided upon.

HE THRASHED A CONDUCTOR.

(Special to News and Observer.)

Wilmington, N. C., June 26.—In the Superior court here today before Judge Peebles, S. F. Harman, a well-to-do white man, who, some time ago assaulted a conductor on the Suburban car line and upon the same occasion used language in the presence of ladies, constituting a nuisance, was left off upon payment of costs and \$300 to the injured conductor, who is a man of small physique and was beaten so that he was incapacitated for some time. Judge Peebles delivered a wholesome lecture to the defendant upon the conduct of passengers upon cars in which there are ladies. Leading attorneys were employed on both sides of the case and interest in the same was widespread.

The grand jury at the present term of court strongly recommended that the State law requiring Jim Crow cars on Suburban lines of railways be enforced against the C. R. L. and P. Co., now operating the electric system to Wrightsville. No definite action, however, has been taken by the court proper.

Hester's Cotton Statement.

(By the Associated Press.)

New Orleans, La., June 26.—Secretary Hester's weekly cotton statement issued today for the twenty-six days of June, shows a decrease under last year of 10,600, and a decrease under the same time year before last of \$2,900.

The amount brought into sight during the past week has been 31,320, against 46,028 for the seven days ending this date last year.

Since September 1, receipts at all United States ports were 7,653,728, against 7,474,798 last year; overland across the Mississippi, Ohio and Potomac Rivers to Northern mills and Canada 1,064,531, against 1,090,794 last year; Southern mill takings 1,798,500, against 1,804,128 last year.

The total movement since September 1 is 10,498,943, against 10,157,719 last year. Foreign exports for the week have been 12,075, against 55,563 last year, making the total thus far for the season 6,540,155, against 6,362,807 last year.

The total takings of American mills North and South and Canada thus far for the season have been 3,881,627, against 3,706,537 last year.

Including stocks left over at ports and interior towns from the last crop, the number of bales brought into sight thus far for the new crop the supply to date is 10,714,017, against 10,517,046 for the same period last year.

A Telegram of Thanks to the Kaiser.

(By the Associated Press.)

Washington, June 26.—President Roosevelt today sent the following telegram of thanks to Emperor William in reply to the latter's message regarding the American squadron now at Kiel:

"Washington, D. C., June 26.—I thank Your Majesty for your gracious welcome to the United States squadron and for the complimentary expressions of your dispatch. I had already received notice from Admiral Cotton of the kindness shown him and his squadron by Your Majesty. I am deeply impressed by these tokens of Your Majesty's friendship and good will towards the United States and I reciprocate in the heartiest manner the sentiments which your dispatch conveys.

(Signed) "THEODORE ROOSEVELT."

With Smallpox on Board.

(By the Associated Press.)

Cape Henry, Va., June 26.—The schooner Henry Sutton, Captain Rogers, bound from Bangor, Maine, to Fernandina, Fla., has been anchored off Ocracoke for three days. It is reported that small pox has broken out among the crew and that the schooner is disabled. A steamer was alongside this afternoon.

The Industrial News Suspends.

(Special to News and Observer.)

Charlotte, N. C., June 26.—The Industrial News, the organ of the National Federation of Labor, has suspended publication, the last issue appearing June 6th. The paper has been in several hands since its establishment two or three years ago, but at the time of its suspension

it was conducted by Mr. Frank E. Cline, who is now in Salisbury. The Industrial Journal was a weekly paper and did much to foster the sentiment of unionism in this community, made a crusade for child labor legislation and bore the distinction of being the original supporter in this State of William Randolph Hearst, for the Democratic Presidential election next year. An effort is being made to get capital interested in another newspaper enterprise to be the exponent of organized labor, to rise from the ashes of the Industrial Journal.

V. E. M'BEE RESIGNS

(By the Associated Press.)

New York, June 26.—At a meeting of the directors of the Seaboard Air Line Railway Company, held in this city this week, Captain V. E. M'bee, Fourth Vice-President, tendered his resignation to take effect on July 1. Captain M'bee proposes to take a vacation before taking up any additional work. The duties of the Fourth Vice-President will be divided among the other officers of the company and the office of Fourth Vice-President will not be filled at the present time.

Japs Restless Under Russia's Actions

(By the Associated Press.)

London, June 26.—The Tokio correspondent of the Times says public impa-

ALMOST A TRAGEDY IN THE STATION AT DUDLEY

(Special to News and Observer.)

Mr. C. A. Spruill, a Bullet in His Abdomen, Tells the Story of How Two Men Were Shot There Yesterday Morning.

(Special to News and Observer.)

Goldboro, N. C., June 26.—The little town of Dudley, nine miles from Goldboro, on the Atlantic Coast Line, has come forward with a sensational shooting affair. Two men were shot this morning at 11 o'clock in the office of the railroad freight depot. One is the agent of the Atlantic Coast Line, Mr. C. A. Spruill, whose wound is of a serious nature. The other is Mr. J. Korngay, an innocent spectator, who received a pistol ball in his right arm which makes an ugly flesh wound, but will not prove serious.

The man who did the shooting is Mr. J. M. B. Fields, a son of Mr. W. B. Fields. All the parties live in Dudley. Local physicians attended to the wounds of Mr. Korngay, but Mr. Spruill was put on the northbound passenger train, which came along about an hour afterward, and sent to the railroad hospital at Rocky Mount.

When the train reached this city the reporter who had just previously learned of the tragedy, boarded the train and found Mr. Spruill in the smoker of the first class coach with his coat off and sitting up smoking. He is a young man about 27 or 28 years of age. He looked somewhat pale and appeared rather weak from the loss of blood, which was slowly oozing from the wound. The ball entered on the left side and lodged in the abdomen. He said he was not suffering very much from pain at that time, but that

he could feel the ball and it felt heavy in his stomach. In response to a question as to what caused the trouble he said "Some days ago Fields told a falsehood on me. I do not care to state what the falsehood was and what it was about. I had made up my mind the first time I saw him I would take up the matter with him and settle it with him. While the local freight was standing at the depot this morning at 11 o'clock Fields walked into my office and I approached him on the subject, intending to give him a good thrashing if he did not make amends. When I got within three feet of him and before I had time or opportunity to strike him he pulled his pistol from his pocket and began shooting. The first shot struck me right here (indicating the spot in his left side) and he was so close to me the powder burned my arm. I caught hold of his left arm and he fired again, the second shot striking Mr. J. Korngay on his arm and making an ugly wound. I then turned loose and ran. He fired another shot which went wild as I was going out of the door into the warehouse. He followed me and fired still another shot. Captain Jones, of the local freight, had reached Fields by that time and knocked his arm up and the last shot went up in the top of the building. Fields left the station and I went back and telegraphed the company to send a man in my place. I learned just as I got on the train that Policeman Hatch had arrested Fields."

Earth Shocks in Hungary.

(By the Associated Press.)

Triaun, Hungary, June 26.—Four violent earth shocks were felt here at 6 o'clock this morning. Several houses in the suburbs collapsed and nearly all the buildings in the town were more or less damaged. The inhabitants were panic-stricken.

Signing of Treaties Postponed

(By the Associated Press.)

Havana, June 26.—The signing of the final treaties between Cuba and the United States has been postponed until next week because of the delay arising from the questions raised at Washington.

Edward's Birthday Celebrated.

(By the Associated Press.)

London, June 26.—King Edward's birthday was officially celebrated today in London, and at all the home naval and military stations.

BAYS FOR CORNELL

She Pulls to Triumph in Three Races. Some Surprises.

(By the Associated Press.)

Poughkeepsie, N. Y., June 26.—Varsity four-oared race, two miles. Cornell first, time 10 minutes, 34 seconds, third of a length over Pennsylvania second, time 10:35, 4-5 seconds; third Wisconsin, time 10:55, 3-5 seconds; fourth Columbia, time 11 minutes and 14 seconds. Best previous time in four-oared race 10 minutes, 31 1-5 seconds, made by Pennsylvania in 1900.

Freshman race, four-oared, two miles. Cornell first, time 9 minutes, 18 seconds; Syracuse second, time 9 minutes and 22 1-5 seconds; Wisconsin third, time 9 minutes and 32 seconds; Columbus fourth, time 9 minutes, 41 seconds; Pennsylvania fifth, time 9 minutes, 45 seconds. Best previous time 9:19 1/2, made by Yale in 1897.

Varsity race, four miles, eight-oared. Cornell first, time 18 minutes, 57 seconds; Georgetown second, time 19 minutes and 27 seconds; Wisconsin third, time 18 minutes and 29 2-5 seconds; Pennsylvania fourth, time 19 minutes and 33 3-5 seconds; Syracuse fifth, time 19 minutes, 36 3-5 seconds; Columbia sixth, time 19 minutes and 54 1-5 seconds. Best previous time 18 minutes, 53 1-5 seconds, made by Cornell in 1901.

For the first time in years there were distinct surprises in the inter-collegiate races here today. Two crews of practically unknown quantities and whose coaches had not predicted or had not hoped for them anything better than fourth or fifth

troops still on guard.

(By the Associated Press.)

The Cars are Running on Most of the Lines in Richmond.

(By the Associated Press.)

Richmond, Va., June 26.—Cars were run on most of the city lines today and for a part of the day at least, on the suburban line to Barton Heights, all under military protection. There has been no molestation of cars and no disturbance of moment, so far as reported. Travel on the cars continues light, however, though it was perceptibly heavier today than yesterday. The cars to run until twelve o'clock p. m., and the outlook is for a peaceful night, though it is realized that an outbreak of disorder may occur at any moment.

Five Cotton Gins for Porto Rico.

(By the Associated Press.)

San Juan, Porto Rico, June 26.—Five cotton gins have arrived here from the United States and will be immediately installed. They are the first gins to reach Porto Rico in forty years.

The cotton plantations of the island now cover eleven thousand acres and the area is being increased weekly. San Juan has been chosen as the center of this trade.

Willis Sweet, of Idaho, was sworn in today as attorney general of Porto Rico.

On the Diamond.

(By the Associated Press.)

National League Games.

At Boston—R. H. E.
Boston 1 0 0 0 0 0 0 4—5 8 1
Brooklyn 0 0 1 0 0 1 0 1—4 12 1
Batteries: Pittinger and Moran; Taylor and Kling.

At Brooklyn—R. H. E.
Cincinnati 0 0 4 0 4 0 0 0—8 9 3
Brooklyn 1 1 0 0 0 3 0 2—9 12 1
Batteries: Suthoff, Harer and Bergen; Schmidt, Jones and Ahearn.

At Philadelphia—R. H. E.
St. Louis 0 0 0 0 0 0 0 1—1 7 1
Philadelphia 0 0 1 0 0 1 0 0—2 7 2
Batteries: Dunlevy and Ryan; Dugleby and Roth.

American League Games.

(By the Associated Press.)

At Detroit—R. H. E.
Detroit 3 0 1 0 0 0 0 1—7 5 6 1
Philadelphia 0 0 1 1 0 1 0 0 0—3 10 2
Batteries: Kitson and McGuire; Henley, Coadley and Powers.

At Cleveland—R. H. E.
Cleveland 0 0 1 0 0 0 0 0—1 7 0
Washington 0 0 0 0 0 0 0 0—0 3 0
Batteries: Dornier and Abbott; Patten and Drill.

At Chicago—R. H. E.
Chicago 0 0 0 0 0 0 2 0 1—3 6 0
New York 0 0 0 0 2 0 0 0—2 7 2
Batteries: Flaherty and McFarland; Chesbro and O'Connor.

Southern League Games.

(By the Associated Press.)

At Shreveport—R. H. E.
Shreveport 0 0 4 0 0 1 1 1 0—7 10 0
Memphis 0 0 0 0 0 0 0 1 0—1 6 0
Batteries: Fisher and Graffius; French and Accorsini.

Nashville, Tenn., June 26.—Nashville-Atlanta game postponed.

Eastern League Games.

(By the Associated Press.)

Worcester 4; Rochester 1.
Baltimore 16; Providence 2.
Buffalo 16; Newark 7.
Toronto 4; Jersey City 1.

Stopped by Rain

(Special to News and Observer.)

Winston-Salem, N. C., June 26.—The ball game here this afternoon between Winston and Greensboro was stopped at the close of the third inning by rain. The score stood four to two in favor of the locals. Holt pitched for the visitors and Johnson for Winston.

B-stay Defeats New Bern.

(Special to News and Observer.)

New Bern, N. C., June 26.—Elizabeth City and New Bern ball teams met this afternoon at the Athletic Park in the second game of the season. The score stood four to two in favor of the visitors. Holt pitched for the visitors and Johnson for Winston.

Concord Defeats High Point.

(Special to News and Observer.)

High Point, N. C., June 26.—Concord defeated High Point in the second of a series of three games this afternoon in a pretty five inning game, which was called on account of rain.

Score:
High Point 0 0 0 1 0—1
Concord 0 0 0 0 2—2
It sometimes happens that a man's bluntness is due to his sharpness.

Though a man may be popular with a widow, he isn't her first choice.

FORGERY CHARGE NOT TO BE PRESSED

Machen 'Won't be Forced to Answer This.

TYNER'S CASE NEXT WEEK

It Will Probably be Placed Before the Grand Jury in the Early Part—Insurance Given That Payne Will Not Resign.

(By the Associated Press.)

Washington, June 26.—The grand jury which has been considering the postoffice cases presented by the investigation officials held a brief session today, examined several unimportant witnesses and adjourned until Monday. What is known as the Tyner case, involving the abstraction of papers by Mrs. Tyner, from the safe in the office of the Assistant Attorney General for the Postoffice Department, probably will be placed before the grand jury early next week.

Although two indictments already have been returned against August W. Machen, the former general superintendent of the free delivery system, additional evidence is being put into shape for submission to the grand jury. The cases of alleged forgery which postoffice inspectors have been looking into in connection with other charges brought against Machen will not be pressed, as anticipated some time ago, the evidence not being conclusive and the alleged offense being barred by the statute of limitation.

Assistant Attorney General Robb, of the Postoffice Department, today submitted to First Assistant Postmaster General Wynne a decision in the money order contract case, which holds that the bid of Paul Herman, of New York, who submitted a bid \$45,000 below that of the present contractor, meets the requirements of law, and that he is therefore entitled to receive the contract.

This is the case which led to the recent dismissal of Superintendent Metcalf, of the Money Order Bureau and the present decision has a considerable bearing on the Metcalf case, now pending before the President on appeal for reconsideration of the removal. Mr. Metcalf opposed the acceptance of the Herman bid. Mr. Robb holds that the award of the contract to any other than the lowest bidder in this case would be in contravention of the interests of the government and a sound public policy. He says that the lowest bidder has furnished satisfactory evidence of his financial responsibility and of his mechanical ability.

Meeting of the Cabinet.

(By the Associated Press.)

Washington, June 26.—The last meeting of the Cabinet before the President's departure from Washington tomorrow was held today. Postmaster General Payne was among the first to reach the Cabinet room. Shortly after the members had assembled former Postmaster General Smith, who took breakfast with the President, was ushered into the Cabinet room.

Upon leaving the White House Mr. Smith said that his statement in response to the references to himself in the Bristol report would be given to the public tomorrow morning.

Postmaster General Payne occupied considerable time at the Cabinet meeting in discussing his future plans relative to the investigation.

In his disconnection it can be stated authoritatively that the reports that Postmaster General Payne contemplates retiring from the Cabinet are untrue. He has plotted out his future work, in connection with the investigation of his department and is anxious to finish it. The President, it is said, has given expression to his own feelings in the matter, by saying that he would permit him to resign only in the event that it became a matter of life and death.

Nellis Seed Contract.

(By the Associated Press.)

Washington, June 26.—In the Nellis seed contract suit before the Court of Claims, an affidavit by Charles Kingsley, of Falls Church, Virginia, has been made public, alleging that A. C. Nellis, of New York, who had the contract for furnishing seed, ready for distribution to the government, two years ago, directed that no books were to be kept and that the packages should be light weight.

Kingsley was foreman for Nellis, and in his affidavit says that no record books were kept showing the amount of seeds received in bulk; that he had suggested the keeping of such books, but that Nellis said he did not want them kept. Kingsley says that these books were kept under former seed distributions. He charges that a great portion of the seeds was put up in light weight packages, that Nellis instructed him to notify the employees engaged in putting up this seed to let the weights run light, and he knows that these instructions were obeyed.

Kingsley also charges that Nellis told him that he did not know how many seeds he had sent out, and that beet seeds were put up at the rate of eighty packages to the pound, though the contract called for sixty-four packages to the pound.

Man at Blowing Rock Burned.

(Special to News and Observer.)

Asheville, N. C., June 26.—The Rhododendron Inn at Blowing Rock was destroyed by fire night before last. All the guests escaped without injury, though their effects were destroyed.