The News and Observer. Fair. The News and Observer.

THE WEATHER TODAY:

Volume LVI. No. 69.

RALEIGH, NORTH CAROLINA, SATURDAY MORNING, NOVEMBER 26, 1905.

Daillies

Price Five Cents.

SHOT DEAD WITH HIS OWN WEAPON

Business Rivalry Between Two Merchants of Durham, Uncle and Nephew, Culminates in a Tragedy That Horrifies the State.

THE UNCLE IS KILLED

J. S. Murray Had Fired Three Shots, All of Which Found Their Mark in the Hand, Arm and Thigh of Earle Murray, When Earle's Father Wrested the Pistol from the Maddened Man's Grasp. An Instant Later the Revolver Flashed Again and J. S. Murray Fell Dying at His Slayer's

Durham, N. C., Nov. 25.—In a street duel this morning near ten o'clock, J. S. Murray, a prominent citizen of this city was killed by his nephew, W. R. Murray.

The homicide occurred on Main street in front of the place of business of the deceased and the killing was done with the pistol belonging to the deviaced after he had fired three shots at his slaver. It was then taken place of business. shots at his slayer. It was then taken

mbled this morning, adjourned this

afternoon and another hearing will take the held tomorrow morning.

The terrible affair is one that has shocked the entire community. Nothing has so stirred Durham in recent veers.

years.

The tragedy is the result of ill feeling of several years standing. Both men were engaged in the music business, and this engendered bad blood that led up to a fight several years ago, and which in turn led to the

The Details in Full.

w minutes after his return two emoyes in the W. R. Murray house, le his son Earl, passed the store of e deceased. J. S. Murray came out,

the deceased. J. S. Murray came out, stepped them and in the conversation that followed charged that they had followed him in placing an order.

While this conversation was in progress W. R. Murray appeared on the scene and pushing apart those who were in the quarrel, made some remarks about fighting a person of his own size.

own size.

Then came the tragedy. Some witnesses say that Joe Murray, the deceased, stepped back and drew magna, firing directly at W. R. Murray. The next instant the two men closed in on each other and a total of four shots were fired. The last one was fatal to J. S. Murray he was led back into his store and a moment later he

was dead.

The slaver turned in the street and surrendered to Dr. N. M. Johnson, who had rushed up, turning over to him the bisiol of the deceased with which the fatal shot was fired. A which the fatal shot was fired. A few moments later he was taken in charge by Chief of Police Woodal and has been in his office since that time.

has been in his office since that time.

Results of the Fight.

In the duel J. S. Murray was killed.
Earl Murray was shot in the arm and hip and W. R. Murray, who is under arrest has a broken finger.

It is thought that the first two shots were those that wounded Earl Murray, son of the slayer, one of the balls passed through his left wrist and the other struck the left hip and glanced. other struck the left hip and glanced.

the is not in a serious condition.

The prisoner has a broken finger on the left hand. He contends that this was broken in trying to get the pistol from the hands of the man who was

trying to kill him.
The fatal bullet struck the left

breast and ranged upwards, severing the artery from which he bled to Both the deceased and the slayer

Roth the deceased and the slayer came here from Orange county, and have been in business for years.

The deceased married a sister of I. M. Emerson. Bailmore, and left a wife and seven children. His brother-inlaw, Mr. Emerson, is said to be a multi-millionaire and the family of prominence. W. R. Murray is also prominent and has many influential friends. He has been in business here for years. He is at the head of the W. R. Murray Company, which has a large capital. He has a wife and several children. If bond was allowed he could give large security for contradicted Calhun's testimony. Davis also told about his work at Tallahas-see, where he went with one O'Neal to work with members of the Legislation requesting the impeachment of Judge Swayne. During the 16 to 1 days, he was there O'Neal spent two or three hundred Goiars for champagne for Legislators.

Ellis F. Davis was recalled and contradicted Calhun's testimony. Davis also told about his work at Tallahas-see, where he went with one O'Neal to work with members of the Legislation requesting the impeachment of Judge Swayne. During the 16 to 1 days, he was there O'Neal spent two or three hundred Goiars for champagne for Legislators. large capital. He has a wife and several children. If bond was allowed ac could give large security for his appearance at court. He will contend that the shooting was done in self-defense.

All of the local coursel have

North

shots at his slayer. It was then taken from him and the fatal shot fired. He lived but a few moments after the last shot.

Tonight W. R. Murray, the slayer of the deceased, who is himself a prominent business man and identified with both the Elk and Masonic lodges, is in charge of the police.

At the door he was met by J. S. Murray and a short and bitter quarrel followed. Then J. S. Murray drew rel followed. Then J

ft, severing an artery.

The wounded man fell and was then into his store, where he expired thin a few minutes, without having orders.

spoken.

W. R. Murray was arrested and will remain in custody until 10 o'clock tomorrow, when the coroner's inquest will be held. Nearly every lawyer in Durham has been retained on one side or the other and several out of town lawyers have been called in. The affair has caused a sensation in Durham.

TESTIMONY IN SWAYNE CASE. Ellis F. Davis Makes Disclosures of Trying to Work the Legislature to Impeach Swayne.

(By the Associated Press.) Washington, Nov. 25.—W. F. Hard-rick, a hotel man from Fort Worth, exas, was the first witness today in he udge Swayne investigation. He estified that Judge Swayne was at his otel for a day and three quarters r which he paid \$6.25. E. T. Davis, of Pensacola, testified

E. T. Davis, of Pensacola, testified to the expense of travelling from ensacola to Fort Worth, New Orans, Birmingham, Ala., and other outhern points. On cross-examination Mr. Davis said he was eemployed the prosecution as counsel and ade the trips to ascertain the cost traveling over the same routes taken by Judge Swayne. Mr. Davis to be presented to the case here. of traveling over the same routes taken by Judge Swayne. Mr. Davis states that he went into the case because he had clients whose litigation he thought would be prejudiced by trial in Judge Swayne's count. Mr. Higgins sought to have the names of these clients stated, but the prosecution objected on the ground that these men were afraid to nave their names known to Judge Swayne. The committee sustained the objection.

S. E. McIlhenny, of Dallas, Texas, connected with the hotel where Judge Swayne stopped for forty days, testified that the total amount paid by Swayne was \$125, which included everything. He said that Judge Swayne had a special rate at the hotel of from \$2.50 or \$3.00 per day.

John M. Calhoun, of Marianna, Fia.

\$2.50 or \$3.00 per day.

John M. Calhoun, of Marianna, Fia., was called by the defense and denied the testimony of Ellis F. Davis, relative to the settlement of the contempt proceedings against Charles D. Haskins. Davis had testified that Calhoun had come to him and told him that the contempt proceedings against Hoskins could be settled for \$500. Calhoun denied that he ever approached Davis, but said that Davis did come to him and asked if the case could be settled. Calhoun also said that he never talked with Judge Swayne about the Hoskins' case except in the presence of Hoskins' attorney.

(Special to News and Observer.)

Newton, N: C., Nov. 25.—A union Thanksgiving service was held in me German Reformed church on yester-day. The ministers of the different denominations had charge of the services and a large union choir rendered several fine anthems of praise and thanksgiving.

The offering was for the different orphans' homes of the State, envelopes being used to designate the one in-lended.

Rev. Jno. A. Gilmer, pastor of the Presbyterian church, breached the sermon from the story of the ten lepers using as his text the words: "Were there not ten cleansed, but

the local counsel have rianna, Fla, who wa sconnected in the employed in the case. Judge Bynum, of Greensboro, reached houn, with the Hoskins case, testified hous, with the Hoskins books. He said doesn't care so much at that Charles D. Hoskins took the warned as fourarmed.

books away from him and assaulted him, knocking him senseless. Charles T. Davis, who was in pos-session of the property of Hoskins for a time, testified regarding the custody

Carolina

time, testified regarding of the property.

W. H. Hoskins, the principal in the ankruptcy proceedings in Swayne's ount testified regarding the assault y his son upon Richardson who was n'possession of the Hoskins' books he committee adjourned until tomor-

THE BROADAWAY MURDER TRIAL A Prominent Young Farmer Kills

Business?

mate this evening. Torrance was one of a hunting party that had spent the day in the field. Returning home he climbed up a tree, he said, to rest. One of the party thoughtlessiy snapped his gun, not thnking it was loaded. The cartridge exploded and the entire load lodged in the boy's stomach, it is feared he is fatally injured.

FIGHTERS SMASH WINDOW. Mr. Thomas F. Wilkinson Dies of

Pneumonia After a Brief Illness. (Special to News adn Observer.)
Newton, N. C., Nov. 25.—On yesterday evening Dr. J. B. Smith and Mr. Alley Gabriel got into a dispute over politics and a fight ensued. In the scuffe, the combatants broke out one of the glass windows in R. P. Freeze's drug store. Both of the men were bruised somewhat, but no weapons were used.

at his home here last night from pneu-monia. He had been sick only a few days and his death, was unexpected. He leaves a wife and several small children to mourn his loss.

PROF. GULLEY SPEAKS AT APEX. How Thankless Man Enjoys the Gift. Forgetting the Giver.

(Special to News and Observer.) Apex, N. C., Nov. 25.—Thanks ing exercises were field in the Baddst church last night, a large congrega-tion being present. The speaker of the evening was Prof. N. Y. Gulley, dean of the law department of Wake Forest College.

dean of the law department of Wake at his large begin and a collection and be ecost estified and and ecost estimated ecost ecost ecost estimated and ecost estimated and ecost estimated ecost ecost

Union Thanksgiving Service.

(Special to News and Observer.)

lepers using as his text the words:
"Were there not ten cleansed, but where are the nine?" This was applied to the nation and to individuals in a very forcible manner. The speaker declared that in our rush for wealth, honor, and response to the control of the c wealth, honor and renown, we are too apt to forget the Giver of our ssings and do not return to give Him thanks.

house of Capt. C. W. Jehreyson, John Lawrence farm, Tuesday night was destroyed by fire, together with 25,000 and 26,000 pounds of cotton and 500 bushels of cotton seed. He does not know how the building caught.

The fellow who lives to hug the girls doesn't care so much about beng fore-

OUT OF THE NIGHT OF THE UNKNOWN

Putney Comes Back With Strange Story.

Hunting.

(Special to News and Observer.)
Salisbury, N. C., Nov. 25.—The taking of evidence in the Broadway murder trial now in progress here was concluded this afternoon. Solicitor Hammer opened the argument for the prosecution and Senator Lee S. Overman followed for the defense. R. Lee Wright for the State and Congressman Theo. F. Kluttz for the defense will close the legal argument. A werdict is not expected before Saturday night or Monday. Broadway pleads self-defense for the murder of Mr. Miles out hunting yesterday Mr. Sa the result of an intense business rivairy, W. R. Murray this morning that the latter was advancing to the latter was advancing that the latter was advancing that

Young Putney, when he so sudden disappeared, had with him jewels alued at more than \$1,000, but had see than \$100 in money.

The story that young Putney was imapped is discredited by the po-

stephen had been drugged and abducted by three men with whom he had taken a drink. Langhorne declares that after the drink Stephen lost consciousness and remembered nothing more until he found himself in a strange city. Stephen was told he was in Kansas City, Langhorne says. He had no money and knew no one to whom he could appeal for help. He was ashamed to notify his family of what had happened, and, desconsowant what had happened, and, desconsowant was also saw a like the saw as a like the saw a like the saw as a like the saw a like the s

was known of the supposed enlist-ment of young Stephen Putney in Kansas City. It was also stated that to the commanding officer's knowl-edge the boy had not been received

Where Putney Enlisted.

(By the Associated Press.) Kansas City, Mo., Nov. 25.—The pe-lice here to-day stated that Stephen Putney, Jr., enlisted at the United

lice here to-day stated that Stephen Putney, Jr., enlisted at the United States recruiting station in this city on iast Monday, giving his age as 21 years. He was assigned to the articlery service and requested that he be stationed at St. Louis.

He left for Jefferson Barracks near St. Louis on Tuesday. R. N. Williams and R. T. Hancock, a cousin and a "cat" rife, friend of Putney's, who were in Kansas City conducting the search for him, started for St. Louis late to-day, upon receipt of a telegram announcing that

TELECTORY

Newport Man

Newport Man

Newport Man

Newport Man

Started for June 1988 (Special to Tarboro, Cowie, of the at the A. C. egram announcing that

JIMMY MICHAEL IS DEAD. The Noted Welsh Cyclist Dies at Sea of Congestion of the Brain.

(By the Associated Press.) New York, Nov. 25.—"Jimmy" Mi-chael, the noted Welsh middle distance bicycle rider died suddenly last Mon-day morning on board the French line steamship La Savoie, from congestion

Cotton and Gin Destroyed.

(Special to News and Observer.)
Tarboro, N. C., Nov. 25.—The gin house of Capt. C. W. Jeffreyson, John

picycle rider faithfully during the re-nainder of that day and by night had ucceeded in relieving him of the

succeeded in relieving him of the pain.

He retired early and did not complain of feeling ill. About 3 o'clock Monday morning his companion, Jean Monday morning his companion, Jean Michael struggling violently in his state room. Dr. Maire who was at once called, pronounced Michael's condition to be dangerous. He was inviolent delirium until 10 o'clock in the morning and an hour later died. Dr. Maire said that his death was caused by congestion of the brain, undoubtedly due to a blood clot, which had formed as a result of the accident at the sacrage of Chapel Hill, and was bound over to the next term of Orange Superior court under \$200 bond.

Hackney protests his innocence and is backed by the college authorities to the extent that the Shaw faculty went on his bond for appearance.

NOTED SAFE BLOWER HANGED.

Frank Duncan, a Desperado, Dies for the Murder of Policeman Kirkley. ed as a result of the accident a

The first news of Michael's death

BUREAU'S REPORT ON COTTON.

The Elmiranda Abandoned.

(By the Associated Press.) waterlogged, deserted an boarded the barkentine, and not deeming her worth attempting to save, set fire to the vessel, as she was a danger-our menace to navigation. The Elmi-randa saited from Jacksonville, No-vember 4, for Trinidad. Her captain and crew were taken off by the Brit-ish steamer Horsa and landed in Hamilton, Burmuda, November 7, Her carray consisted of 371,000 feet of lum-

(By the Associated Press.)
Las Palmas, Canary Islands, Nov. 2.
—The Uruguayan bark Pilar, Captain
Company, while sailed from Carrabelle, Fia., June 15, for Valencia and Lazarotte and Gracious). The will probably prove a total wredsc-..g 7890\$.. 7890\$.

TELEGRAPHIC BRIEFS,

Newport News, Va., Nov. 25.—The auxiliary cruiser Prairie sailed from flampton Roads tonight for League Island. The Prairie and the YanQkee arrived in the roads this morning, the latter being still at anchor of Old

Macon. Ga., Nov. 25.—A special to the Telegraph says that the case against the citizens at Baxter, who were to be tried this week at McClemy, Fla., for killing Deputy Sheriff Thrift some time ago, was continued as there were no witnesses present. W. M. Duncan, father of Jack Duncan, who was killed on the train, did not who was killed on the train, did not attend the court, though he was wantcompanied by a number of long distance riders who are to enter the six and aday contest to be held here in Descember.

Michael complained of being ill on Sunday, saying to the ship's doctor that he was suffering from a very severe headache and nausea. He told Dr. Maire that his illness was due, be thought, to the after effects of a severe fall he received in Berlin two years ago. Dr. Maire attended the

(By the Associated Press.)
Birmingham, Ala., Nov. 25.—Frank
Duncan, who is said to be one of the
most noted safe blowers in the country, was hanged here today for the
murder of Policeman Kirkley, in
March, 1900. The drop fell shortly
before "noon. Duncan's neck was
broken and he was pronounced dead
twelve minutes afterward. He marched to the scaffold with a firm step.
He made a long speech to the hundred persons present, reasserting his
innocence.

Richmond Hereafter and Thinks

That His Entire Staff Will

Governor Glenn s in the city. I
started to say that "Bob" Glenn is here
but the approaching inauguration of
the popular Forsythe man as Governod deters me, so I do not even say
innocence.

The Number of Bales Ginned up to November Fourteen.

(By the Associated Press.)

Washington, Nov. 25.—The Census Bureau today issued a preliminary report on the quantity of cotton ginned to November 14, 1904, in 681 counties, from which reports have been received to this date. It shows 26, 817 active ginneries against 26,710 for the same period and the some counties in 1903, and a total for the same period in the same counties in 1903, and a total for the same period in the same counties in 1903, and a total for the same period last season was 812. When all of the same period and 470,620 for 1903. The entire number of counties from which ginning was reported last season was 812. When all of the same present crop there will be published a summary distributing by States the total quantity ginned during the season.

Adams, Miller getting a death sentence and buncan a life sentence. Miller was hanged in June. 1901.

Duncan was later given a death sentence for the murder of Kirkley, but escaped from jail. He was result to death.

Fast game and re-sentenced to death.

Fast Game Today.

Juniors v. Sophs at Fair Grounds in First of Class Games for Silver Cup.

Although the football season for the big cleven is over, there is much enthusiasm being displayed over the series of A. & M. College class games which are to be played for the silver cup offered by the faculty to the team winning the championship.

The Juniors meet the Sophs today at the Fair Grounds in the first game of the Season. Both teams have been practicing strenuously for the past month, and the game promises to be fine the advantage in weight and training, having been carefully coached by their efficient classmate, Graves, who is an exserting to the depot, out to the Yarborough House was, and with an engagement classmate, Graves, who is an exserting to take later with the Governor I let ming to part to take later with the Governor I let him go in peace.

Later I saw him at the Yarborough House "bus," and with an engagement to take later with the Governor I let him go in peace.

Later I saw him at the Yarborough House "bus," and with an engagement of the "Warsity" during the last few days. Up to that time they had only the coaching of their captain.

The life and provided with the first game of the "warsity" during the last few days. Up to that time they had only the coaching of their captain.

The life and the two they is an early to the wars to the Virginia-Carolina foot cheys, the Carolina foot cheys, the Carolina foot only by a piece of they are gallant fellows."

Here the Governor Glenn this game, the alt roubled look crept up into his game.

"Yes, fine fellows. Tyn ill and a troubled look crept up into his game.

"Yes, fine fellows. Tyn ill and the two wars of fine pall and look cook of them for they are gallant fellows."

Here the Governor Glenn looked at m

	r cucia cul cum
The line-up is as	follows:
Juniors. Posi	tion. Sophs.
Oden C.	McNairy
Niven L.	
Cromartie R.	
Myrick L.	
McLendon R.	r Fowler
Lovill L.	E Jones
Moore, L R.	
Hodges (capt.) Q.	
Pepp	
Etheridge F.	
Brock R. H.	
Subs.	Subs
Moorman	Hemphill
Tuttle	Hinshaw
Abernethy, D. S.	Mitchel
Vaughan	McConne

Uzzell No admission will be charged. The game will be called at 3 o'clock.

parting today, declared that he ha not received a demand for a ranson However, it is said that the police in

Meeting Yesterday Goes Through Routine.

The meeting of the Board of County Commissioners yesterday was consumed with routine work.

A. H. Green was paid \$100 from the road fund for collecting from the overseers pay rolls amounts due by parties for taxes and turning over the same. Supt. Allen reported the laying off a new road from Wakefield through lands of Ferrell and others to Moccasin Creek, on Franklin county line.

M. F. Horton, of Little River sent a communication objecting to damage alleged to have been done to road bed of new road running through his fourteen year old son Robert and a negro boy named Shoat Coley were out turkey hunting when the gun in Robert's hand was accidentally discharged, the load shattering the knee of the colored boy accompanying him, So badly is the bone splintered that amputation may be necessary.

He is an Enthusiast Over Football.

Will Attend Thanksgiving Games in Richmond Hereafter and Thinks

rid of the matter.

Governor Glenn will spend part of the day here and will probably leave for home this afternoon. He is looking well and vigorous. He says he is in fine condition and is feeling good.

in fine condition and is feeling good. It's getting on close to the time when he will take charge of the State, and soon he will be a citizen of the capitol. There's a warm welcome ready for him and his family. ROYALTY HAS A SNOW BALLING.

King Charles of Portugal Starts the Fun and it Gets Fast and Furious. (By the Associated Press.)

The Boy Was Advancing on His Father With a Drawn Knife. (By the Associated Press.) discover, if possible, who wrote the letter.

BOARD OF COMMISSIONERS.

Meeting Yesterday Goes Through