THE NEWS AND OBSERVER, TUESDAY, JULY 20, 1909



Maj. Grant Central Figure In the Argument

ATTACKED AND DEFENDED

His Attorneys Urge His Innocence While Counsel for Defense Insist That He Was The Principal and the Negro Hack Driver Was His Special Agent in The Maude Kelley Transactions and Visits.

"Guilty" was the verdict of the jury yesterday afternoon after about fortyfive minutes deliberation as to the charges against William Jones, negro hack driver, and Maude Kelley, a denizen of the "Red Light" district of Raleigh, charged with criminal relations. The sentence of the court will probably be pronounced today.

In this case the storm centre about which the evidence and the argument raged was Maj. H. L. Grant, clerk of the Federal court, who was declared by the negro and the woman as being the supporter of Maude Kelley, that the negro was only his servant and visited Maude Kelley's house as his agent, that Maj. Grant furnished the money and that he was a twicea-week visitor to the woman at the house for which his money had paid. The defense was that Maj. Grant was the principal and that William Jones was merely the dummy.

The argument was vigorous for both the prosecution and the defense. The attorneys who represented Maj. Grant declared that he was attacked by "a gigantic conspiracy" and that the negro was guilty. The defense contended that the negro was merely the "gobetween" for Maj. Grant and the woman, and along this line there was argument for five hours.

After the conclusion of the case that strained washington whitaker, a he-gro of Tarboro, one of the band of a carnival company here last year, was taken up. The negro is charged with burglary in the first degree in the en-trance into the home of W. R. Collins on West Monte of the band of a policemen of Raleigh, who not alone had not seen him at the Maude Kelley house, but had seen William Jones there for hours, by day and night. on West Morgan street, at which time Mrs. Collins was shot in the back. Robbery is the allowed motion back. Robbery is the alleged motive, as an effort was made to get money from Mrs. Collins, who was attacked while in bed, her infant by her side.

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Major Grant as a soldier and a citi-zen. He alluded to the 'alleged pay- argument therefrom. He said there ment of \$10 to William Jones to get was no difference in this case and any him away, as being a weak charge, other of similar nature except the as so little money was involved; the evidence of the negroes as points in been drawn into this controversy.

ants, in order that they might escape. His argument was presented with vigor and force.

Mr. H. E. Norris For Defense. Mr. Herbert E. Norris, for the de-Last Surviver of Prominent North Carolina Family Passes Away at San Antonio, Texas-Was Daughter first addressed the jury after He made an able and vigorof Lieutenant-Colonel Wm. Polk, dinner. and Grand-daughter of Thomas ous argument, and in it he declared that Major Grant's introduction in the Polk. One of the Signers of the Mecklenburg Declaration. case was because, as the negro William Jones was seen with his hack at Her many friends, both here and Maude Kelley's house, that it was throughout the State, will be grieved to learn of the death of Mrs. Susan necessary to show that he was there as the servant of Major Grant, as had Polk Rayner, which occurred at San been testified. He declared that the Antonie, Texas, several days ago, at woman though fallen, had not crossed the home of her daughter, Mrs. A. L. the color line. He urged there was no Matlock. The remains were shipped evidence that the negro and Maude to Fort Worth for interment beside Kelly had while away been in the the grave of her daughter, Mrs. Joseph same cities at the same time. William II. Hyman. Jones had come back to stand trial,

Mrs. Rayner was the daughter of feeling he was not guilty. The error Lieut.-Col. Polk, one of North Caroin his testimony as to railroad time lina's destinguished Revolutionary ofwas not an error for eight months, for ficers, and the grand-daughter of it was only after March, 1908, that the Thomas Polk, one of the signers of train began to arrive here at four the Mecklenburg Declaration of Ino'clock from Goldsboro. The evidence dependence. She was a sister of shows that Jones is not guilty, but it Bishop Leenidas Polk, of Louisana, is not necessary to show this, that the who left his work to serve his State State must show guilt. He came back during the Civil War. to meet hoodlums who dynamited In 1842, she was married to Ken-

DEATH OF MRS. KENNETH

RAYNER.

Maude Kelley's house. These go free neth Rayner, a distinguished citizen and the negro is on trial. Mr. Norris in vigorous terms told of the police a member of Congress and in other of this State, who served his State as telling of disreputable institutions in capacities for many years, and who East Raleigh and yet these now go was engaged in official life at Wash-The police should give attention ington during the time of such men to these. The witnesses for the State as Clay, Webster and Calhoun. After are not worthy and conviction should the war here husband was for many not be made on their evidence. As to Major Grant, he is an inter- years solicitor of the Treasury.

Mrs. Rayner was a life-long memested and willing witness, with an able ber of the Episcopal Church. For array of lawyers to defend him. the last few years she resided with though he is not on trial. Major her son, Mr. Hamilton P. Rayner, at Grant has not shown his innocence, her son, ar, hand been in feeble health for sometime, and was carried Jones. A man's sins will find him out. to San Antonio on July 3. Shortly The property which Major Grant has before leaving El Paso she suffered sold, thinking it is his, rightfully belongs to Maude Kelley. She is still a stroke of paralysis from which she a minor, and was a minor when deeds never recovered. Quietly and without pain she weakened until the end were made to Major Grant. Right now by his best friend, or when she be- came

Mrs. Rayner is survived by her comes 21 she can sue it. It is her Major Grant's admitted daughter, Mrs. McMullen, of Pittsproperty. night visits are lagainst him. His burg, Pa., and by her son, Mamilton P. Rayner, of El Paso; by grandloaning money or buying property in such a section, and for the benefit of a children, Mrs. A. L. Matlock, Harry Hyman and Mrs. Silas Lee iKng. -of woman of known bad character, are enough to convict him. In notes and mortgages, with William Jones as wit-Worth; Eugenia L. Price, of Montness, he is shown to be guilty. As a gomery, and others, and by several witness his actions in the jury box great-grandchildren. George W. Polk were a play to the jury. He gave and Harry Y. Williams, of San Anhimself away when he admitted that tonto, are nephews of Mrs. Rayner. in place of three visits to the house,

as he stated in the police court and four times as testified to in his direct

Adjutant General Armfield yesterevidence, he had gone there five times. day commissioned Major L. B. Bris-He gave, himself away, when he told tol as an ordnance officer on the genof giving a suit of cloths to William eral staff. fact that the man was a negro and the Jones, for that shows that he regard-

Commission Issued.

woman white. The jury is not trying ed Jones as his servant. Maude Kel-Willis P. King, M. D., Assistant Chlef Major Grant. It is true that he has ley knew his bed room. The records Surgeon to Missouri Pacific Rwy., counsel here and he has a right to are that the mortgage given to Wake says: "I endorse The Keeley Treatment linas on September 1, 1909, the most have them here in order to protect his Forest College Trustees was not can- because I / believe it to be the best delightful time in the whole year to good name and character which has celled with Maj. Grant's money, for treatment ever devised for such malwhile the memorandum Maj. Grant adies; because I believe it to be a great visit all of the principal points of in-Solicitor Jones then went into the gives of the transaction says it was boon to humanity, and because I be, terest in the North-Washington, evidence presented in the case by the cancelled in January, 1908, while the lieve it to be my duty to commend and Niagara Falls, Toronto, Thousand Islwitnesses and in doing so he declared records, and he exhibited these to the encourage a thing which I know has ands. Montreal, Quebec. Saratoga, of the matter: "This is a very bad case jury, show that it had been cancelled done so much good, and is destined to Ausable Chasm, four days in New -one of the most horrible I ever three years earlier, in January, 1905. do more in the future." York City and Philadelphia and all iscussed the law Maj. Grant stands convicted by his New York theatres will and the amount of proof required to own statement and these defendants for the fall. An attractive feature of convict and argued that the State's should go free. Ex-Gov, Aycock to Jury.



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COOPER BROS.

Raleigh, North Carolina. :

The jury, from a special venire, was obtained just before the close of the day's session. The defendant, Washton Whitaker, is represented by Mr. Albert L. Cox. Col. J. C. L. Har-ris and Messrs. Holding & Bunn, The rial will go on today.

More Evidence Put In.

evidence heretofore offered that it was on March 26, 1908, that the 6.30
p. m. train irom Goldsboro was changed, the hour of arrival being 4 o'clock. Immediately after this the argument, limited to two and a half hours to each side, was begun. There were three attorneys on each side who spoke.
J. N. Holding for Prosecution. The first argument in the case was made by Mr. J. N. Holding, one of the

made by Mr. J. N. Holding, one of the counsel employed by Major Grant to protect his interests. Mr. Holding ade an able plea, and in his remarks he devoted the greatest amount of the argument to placing before the jury that view of the case going to-wards showing Major Grant as being not guilty as charged in evidence

given. Mr. Holding argued that the finan-cial transactions told of by Major Grant in the case showed that he had cone into the matter as a business osition and that nothing but this could be drawn from the record and the testimony in the case. He held that there should be no more ques-

tion that the investment of Maj. Grant in the property on East street was a legitimate transaction, than that there should be a question as to the previous mortgage on the property as held by the trustese of Wake Forest Col-

lege. The refusal of Maj., Grant to pay money when called upon to do so by Maude Kelley and William Jones, he Maude Kelley and William Jones, he urged as a proof that Major Grant was not afraid to face the issue and that his declination was a proof of his innocence. The fact that his bed room was made an issue in the trial was in his favor, as it is in a public place and in such a place where it would have been for the eyes of the public that his actions would have een seen

Mr. Holding here paid a tribut

HOME TESTING

A Sure and Easy Test on Coffee

To decide the all important ques-tion of coffee, whether or not it is really the hidden cause of physical Mr. Douglass, in speaking concernails and aproaching fixed disease, one ing the message sent by him through should make a test of ten days by Col. J. C. L. Harris to Mai. Grant said leaving off coffee entirely and using well-made Postum.

Mr. J. A. Farmer for Defense. Mr. J. A. Farmer, of Wilson, who fair trial. I had not used it two weeks in place of coffee until I began to aches and nervousness disappeared ley, next addressed the court, and in and whereas I used to be sick two or thirty minutes made an earnest and three days out of a week while drink- forcible argument in behalf of his ing coffee I am now well and strong client. and sturdy seven days a week, thanks He declared but for the color line to Postum. there would be no case attempted, "I had been using Postum three that the verdict would be innocent, but months and had never been sick a for the color line. In addressing the managers. day when I thought I would experi- jury, he said. Mr. Holding spoke for ment and see if it really was coffee Major Grant, and represented his that caused the trouble, so I began to views. The evidence showed that drink coffee again and inside of a Maude Kelley spoke the truth, that week I had a sick spell. I was so ill she should be acquitted. He said he I was soon convinced that coffee was knew that Major Grant's character is the cause of all my misery and I went good, but that is not in the case, back to Postum with the result that and that a verdict of conviction was I was soon well and strong again and determined to stick to Postum and leave coffee alone in the future." Read the little book, "The Road to Wellville," in pkgs. "There's a Solicitor Jones For State? Solicitor Armistead Jones began his Ever read the above lener? A new one appears from time to time. They are genuine, true, and full of human interest.

W. C. Douglass for Defense.

The opening speech for the defense was made by Mr. W. C. Douglass whose remarks were vigorous and earnest in behalf of the innocence of the accused. He declared that the case for the State, as presented by Mr. J. N. Holding, employed by Maj. More Even At the opening of the coust At the opening of the coust and his evidence was that the note he had handed to Major Grant from Maude Kelly his client, asking for Maude Kelly his client, asking for money, was read to her, and signed to her. The flefense agreed to the be her. The flefense agreed to the flefense agreed to the be her. The flefense agreed to the flefense agreed to the be her. The flefense agreed to the flefense agreed to the be her. The flefense agreed to the flefense

other. the defense had to fight, as the State having dragged Major Grant into it was necessary to investigate him. He declared his purpose was not to "cuss out" Major Grant, that he was not in court trying to convict Maj. Grant but that his purpose was to represent and care for the defendant. However, as to "Major Grant he had the most to do with it not to have anything to do with it of any creature of whom I ever heard. He is only brought in the case to show that William Jones was

the butler, financial agent, friend, Man Friday, special agent in a special line of work in a special business in Ral-eigh." Here there was laughter in the court room, which Judge Allen reproved.

Further discussing the case, Mr. Douglass went into the Bible to seek illustrations and he told of Sampson and Delilah, of David and the wife of and Dellian, of David and the whe of Uriah and other cases, and made com-parison of these men going wrong with the case of Major Grant and Maude Kelley, that the life of Major Grant in Raleigh and in Goldsboro was that of another Dr. Jekyl and Mr. Hyde.

Getting to the discussion of the case, he declared that the State's wit-ness, Sallie Crowson, had told that "old man Grant" ran the East street establishment of Maude Kelley, and between Maude Kelley and ones, while in this court they had sworn just opposite. In the case there appeared "The State, Grant

and Company." He argued that if there was a careful scrutiny of Jones' actions it would be seen that he had gone openly to the house of Maude

Col. J. C. L. Harris to Maj. Grant said that knowing what he did of the case, he did not want to have Major Grant If relief follows you may know to involved in it, because of his standing a certainty that coffee has been your and family, without notice, and that vicious enemy. Of course you can his suggestion was that Maj. Grant pay take it back to your heart again, if you like to keep sick. A lady says: "I had suffered with publicity and scandal. "If Major

stomach trouble, nervousness and ter-rible sick headaches ever since I was courts are open to him." he declared. a little child, for my people were al-ways great coffee drinkers and let us children have all we wanted. I got Kelley from intimacy with William so I thought I could not live without Jones, and continuing his argument, coffee but I would not acknowledge he alleged that the defendants were innocent, and that it had been shown that it caused my suffering. "Then I read so many articles about that Major Grant had been to the wo-ostum that I decided to give it a man all that she claimed.

witnesses are disinterested and the facts they have testified to 'f believed by the jury are sufficient to constitute the offense charged, that it was proof

upon which the jury could return a verdict of guilty. In speaking, of the evidence of cer-tain of the witnesses of the defense he declared that it came from jail birds, and that from the witnesses there had come no evidence that Major Grant had been seen at the house. He declared that all the evidence pointed conclusively to the guilt of Maude Kelley and William Jones, that they were in cities together on leaving Raleigh and their movements showed that they had intimate knowledge of each In discussing Major Gran't financial

Then he

dealings, loaning money and in securing a deed for the house to which Maude Kelley moved, he said that if Wake Forest College took a mortgage on such property why not Major Grant. The whole thing, said he, was put up on Major Grant by the defend-



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