NEW SERIES-VOL. XX-NO

FAYETTEVILLE, N. C., THURSDAY, JANUARY 22, 1903.

Straight Democracy

Florence (S. C.) Times. The democrats are easting about for Moses to lead them out of the wilderness in Washington. A great number of names have been suggested all of them with a view to baiting New York, Indiana, Ohio and New Jersey into the democratic column. Now lets stop that. The democratic party is the party of the South, as we have had ocoasion to remark before. Let us demand southern leaders. North Carolina has already offered her favorite son Aysock for the vice presidency, and the country could not afford a man more worthy of the honor. Lets have Aycock. If Gorman will stand squarely on the democratic platform let Gorman carry the banner, if he will not let us look elsewhere but keep our eyes on that section from which democracy

must look for her backing and the con-The Saltan Escapes.

By cable to the Observer.

servation of the faith.

Tangier, January 16 .- An official of the Moroscan government states that the Sultan secretly left Pez on Jan'y 10th, with three of his Ministers.

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JENU OF THE TURKS

DISHES THAT COULD BE ADOPTED BY AMERICAN HOUSEWIVES.

Viands That Are at Once Appetising, Nutritious and Inexpensive-Popularity of Vegetables and Sweets. The National Dish.

Some of the dishes found on Turkish tables might well be adopted by the American housewife, being appetizing and inexpensive and easily prepared from articles that are to be found here

in great abundance.

Turks do not care for salads, but prefer ment, fish, vegetables and sweet dishes. The Bosporus furnishes a great variety of excellent fish, among them the red mullet, oysters and mussels, but the Turks have no idea of the choice of cuts and simply ask for so many okas, caring nothing so that they get menty pieces with few bones. Corned beef, roast beef, steak - these are unknown. Mutton, beef, a little eal, fowls and game are eaten. Pork

"the unutterable flesh."

Breakfast with the Turks of all classes consists of a cup of coffee and brend. A piece of cheese rolled into the fat pancake is eaten by the laborers. This is sometimes exchanged for cakes that are much like pretzels, only larger and not so hard. In the fruit season different kinds of fruit are added. Black bread made of unboiled rve flour is sold everywhere and when fresh is delicious. With a few grapes, a piece of the native cheese and a cup of coffee the richest man is satisfied.

With all fish, lobsters and many ments a sort of salad drossing is served made of garlic, oil, breadcrumbs and vinegar, all bruised to a cream, with enviare or encumber. Mussels are much larger than in this country. They are washed, steamed until they open, then tilled with rice, chopped onion and pepper and butter, packed closely in a ves-

sel and baked an hour. Turks make few soups, as they prefer solid food, but sardines, anchovies and salted olives or pistachlo nuts are eaten before meals as appetizers. Of vegetables, which enter largely into their diet, the favorite is the tomato, and scarcely any dish is considered complete without it, though they never ent this vegetable raw. To preserve tomatoes for winter use they boll them until the skins are loose, then pass them through colanders, after which they throw salt into the pulp. This causes it to settle, and the water is poured off while the residue is put into thin bags and hung in the shade. The next day it is spread on flat surfaces to dry Later it is cut into squares and laid in covered jars. This process retains

better than canning, and a little water makes the pulp moist again. Potatoes, a taste for which is an acquired one with the Turk, are first boiled, mashed with eggs and a little flour, then made into cakes and fried. Beans and lima beans are bolled with omatoes and butter and sometimes onlons. Squash is sliced and fried or stuffed with mincement, onions and bolled rice, and then baked. Large cucumbers are also stuffed with minced ments and baked or are eaten raw with ton and green peas. Another has all sorts of vegetables, like an Irish stew.

the taste and qualities of the tomato

Eggplant is cooked in many ways, ome of them palatable and good. One recipe is called imambailde, which means that the Imani for whom the dish first was made fainted with delight at its excellence. To make it, cut alits in the sides of the eggplant and insert a forcement of onion and minced chicken in the cavities. Tie strips of cloth around and fry thoroughly in boiling fat. Another way is to substitute eggplant for potato in a stew. Toma-

toes should also be added. Moussaka, another and better form calls for one large eggplant, sliced rather thick, without peeling. Have a quart of tomatoes freshly peeled or canned and one pound of minced beef. Fry the beef until it separates, set aside while the eggplant is being fried, then put alternate layers of meat, eggplant and tomatoes in a deep dish; season and bake in a slow oven one

Another delicious dish results from placing sliced onlons, tomatoes and ship's bread or soda biscuit in layers, with a generous piece of butter, in a covered dish. Bake slowly four hours. Pilaf, the national dish of Turkey, is served invariably at every dinner. Rice always forms the foundation, and the most popular variety is that where nothing but butter, tomatoes and rice is used. Take three-quarters of a and of Carolina or Egyptian rice. wash until perfectly clean and while still wet place in a pan with one-quarter of a pound of butter. Stir over the are until the rice has absorbed the butter and become a light golden color. Add the rice to three pints of strained tomato juice, boil the whole up once, then draw aside to cook, without stirring, for twenty-five minutes. When done, melt another quarter of a pound of butter, and when the pilaf is dished up pour it over the top. Each kernel should be separate. The color will be rich light brown,

Yalanje-dolma is a popular dish with foreigners as well as Turks. Scald some fresh green grape leaves. Take half pound of rice and fry in butter as for pilat. Mince some onion and parsley very fine and add them to the rice with salt and pepper. Stuff each leaf with the mixture, fastening the little bundles with cloves. Lay them in a kettle, the opening downward, keep them in place and just enough water to keep them from burning. Simmet for three-quarters of an hour .-

New York Tribune. A Cold Wave.

The forecast of sudden changes in the weather serves notice that a hearse voice and a heavy cough may invade the sancand a heavy cough may invade the sanctity of health in your own home. Canticus people have a bottle of One Minute Minute Cough Cure always at hand. E. H. Wise, Madison, Ga., writes: "I am indebted to One Minute Cough Cure for my present good health, and probebly my life." It cares Coughs. Colds, LaGrippe, Bronchitis, Pneumonia and all Throat and Long troubles. One Minute Cough Cure cuts the phlegm, draws out the inflammation, heals and stothes the mucous membranes and strengthens the Jungs.

King Bros.

Last night I lay a-sleeping and The Angel of the New Year came

me, Holding within her hands Life's gra-The wreath of Fame, the Ross of Love and gold

Within a casket set with precious gems dreamed she took my tired hands in hera and thus spake unto us:

What wilt thou, man, that I should give to thee, of all my gifts ? Long hast thou labored; faithfully and

Hast done thy best, and now within The best of gifts I offer unto thee. Here!" and she lifted high the chaplet

That I had craved for many weary years: "This wilt thou wear? or wilt choose the gold? Or wilt thou wear this Rose upon thy

Even the crimson, fragrant Rose of Love. Choose thou," she said; then silent,

waiting stood. Then spake I to the Angel of the year:
"Long, long," I said, "I struggled all in vain

To wear the wreath of Fame upon my Alas! too late it comes;-desire cannot light again its burned out

fires. ask not for the plaudits of the crowdhave grown careless of its praise or The gold within the casket, what of

Can it bring peace to me? I fear me The Rose of Love would wither all too soon Jpon this restless weary heart of mine.

I wore a little flower npon my breast Once many years ago: 'tis withered It was so fair and seemed to lend the world Something of sweetness. 'Twas a little

The flower of Faith ;-I lost it on Life's And it was trampled 'neath the feet of men. Poor little tender bloom of my lost

youth! Give back to me, oh Angel of the Year My little flower of Faith, and keep thy

Thy wreath of Fame, thy crimson Rose Take back thy gifts and in their place instead

When on my breast I wore the little All Life's good gifts were added unto weakness.

Give me the tender bloom of my lost

Give back to me my faith in fellow-And keep thy other gifts, I pray to

And then methought the Angel smiling 'Thou knowest not, oh man, what thou

dost say; If thou wouldst wear a blossom on thy Wear then upon thy breast my Rose of Love: Within its heart it bears the fragrance

sweet Of all earth's flowers: it is a talisman If thou dost crave thy Faith then take they will lodge during the trial.

my Rose And lo shall Faith be added unto thee And Life shall burgeon down the ways again." CELIA MYROVER ROBINSON.

Fayetteville, N. C., Dec 21, 1902. Burns-Williamson.

One of the prettiest home weddings county was solemnized at the residence of D. H. Williamson, E.q., of Edonia, N. C., on Wednesday, December 24th, 1302, at 11 o'clock, a. m. The contracting parties were Mr. Roger Smith Burns, of St. Pauls, N. C. and Miss Annie Les Williamson, of Edonia, N. The parlor was beautifully decorated for the occasion and was filled to overflowing with an admiring throng

of friends and relatives of the bride and groom. The ceremony was beautifully and impressively performed by Rev. T. J. Baker, pastor of the Parkton, N. C.,

Baptist church. The attendants were Mr. John J. McMillan, of Dablin, N. C., with Miss Chris McMillan, of Edonia, N. C., and Mr. Hestor T. McCormick with bride, of Edonia, N. C.

The large number of guests present and valuable presents received attested the great popularity that the bride and groom enjoy. The groom is one of Robeson coun-

men; he is a son of W. B. Burns, E.q. of St. Pauls. The bride who is a daughter of D. H.

ladies. Clark.

No doubt your Uncle Walter Clark, now Chief Justice of the Supreme Court of the State of North Carolina, is eeling pretty well just about this time. In fact his recent vote was enough to make one feel good, but this week the Supreme Court of the United States handed down a decision in a case from this State where Justice Clark dissented he is sustained in this opinion by the bigher tribunal. It is the first time the United States Supreme Court has reversed the Supreme Court of North Carolina. This case involves the constitutionality of an ordinance of Greens boro taxing picture venders. The State court sustained the ordinance but the United States court overrules that decision and holds that the ordi nance violates Section 8 of Article I of

the Federal Constitution. [Major Chas. M. Stedman was counsel for the winning side.-OBS ]

Hancock's Liquid Sulphur should be in every home: It cures eesema, pimples, tetter, ringworms, dandruff, cuts, burns, open sores, dyphtheris, sore threat and sil blood and skin diseases. No home sheeld be with out it. Ask your druggists for a book on Liquid Sulphur. For sale by H. R. Horne & Sons.

THE UTLEY CASE ON TRIAL.

The Choosing of A Jury.

The Superior court met at 9:30 o'clock this morning, and, in accordance with the previous announcement the trial of E. L. Utley, charged with the murder of T. B. Hollingsworth, night clerk of the LaPavette Hotel, was at once begun.

One hundred and fifty-six of the special venire answered to the roll call; and those who were not present, without having sent a legitimate excuse. had fines recorded against them. The court room is packed to its ca-

tense. The prisoner, who sits with his attorneys and uncles, looks a little careworn, but otherwise appears in fairly good health. He follows every move with apparent interest. The attorneys for the defense are: Col. C. W. Broadfoot, Col. John W. Hinsdale, Messrs. G. M. Rose, John G. Shaw, H. McD. Robinson and A.

S. Hall. The counsel for the State are Solicitor Lyon and Messrs. N. A. Sinclair, H. L. Cook and John W. Bolton. Up to 4 o'clock this afternoon about 100 of the special venire had been exhausted, with nine jurors chosen. There are 56 names left in the box to

exhausted. The State, which has four peremptory challenges, has exhausted two of these, while the defense, which has 21 peremptory challenges, has exhausted

be drawn before the entire venire is

The nine jurors chosen are: J. M. McColl, Seventy-First. P. P. Hall, Beaver Dam. P. M. Bullard, Seventy-First. W. M. Matthews, Cedar Creek. John A. Patterson, Seventy-First.

nine.

T. M. Hall, Beaver Dam. M. B. Blue, Little River. J. Ed. Hawley, Cross Creek.

A. J. Simmons, Beaver Dam. From Friday's Daily.

### Witnesses for State on the Stand.

The court house is again packed to day to hear the Utley trial. The prisoner appeared much interested in the testimony of the State's witnesses. though at times he appeared weary and seemed to suffer from physical

The court has employed two steno graphers-Miss Schrier, of Wilmingtake down the evidence.

The last two jurors selected were W. T. West, of Black River, and J. M. Pearce, of Seventy-Pirst. This completed the jury, which was then impanneled, and the defendant stood up dollars on my check, when I can raise and showed that by evidence of Jones as the Solicitor impressively read the more cash than any man in Fayette- and Moore, only the latter and Utley he had been shooting his gun and indictment. The Judge then caution- ville. I am going down and if any were in the room. Moore recalled: He showed two holes in the wall over the ed the jury as to their duty, and at 5 man says anything to me I will fill that testified that he did not say "I am go pool room. He seemed in a good huo'clock court adjourned until 9:30 office full of balls." He came back ing down stairs and kill the \_\_\_ ;" Ut mor, said he was going to have Hol Of all earth's flowers: it is a talisman o'clock this morning; the jury being alone and staid a few minutes and then ley did not say it. Judge Cock then The deceased was behind the desk taken to the LaFayette Hotel, where went down stairs when I heard, I refused to admit the evidence of Via.

fact that exceptions to the depositions were overruled in every particular.

Henry Martin, one of the witnesses, failed to answer, and a fine was rethat has ever occurred in Cumberland corded against him. Judge Cook here the ball. Prof. Jones was here recalled at him first. He was drinking. I did his hand from his pocket. They were stated, for the benefit of the witnesses, to locate this room as Utley's. that their first duty was to be in court, and that he would not be disposed to 2:30 o'clock this afternoon.

excuse negligence. Hon. J. G. Shaw here arose and state ed that Mr. R. B. Lutterloh, of Tallahassee, Fla., had employed ex-Judge

Witnesses for Defense on Stand. Sutton in the defense. Dr. A. S. Rose, county coroner, was the first witness put on the stand for the State. He said that he knew T. B. Hollingsworth; held an inquest over his body on the morning of October L. Utley; was with him from 9 o'clock 25th, 1902, about 3 o'clock; that he got to somewhere about 12:30 or 1 o'clock; to the body about 1:30 o'clock at Hotel he separated from him at Hotel La-LaFayette, found several persons there Fayette; was with him there from 9 Miss Pertie Williamson, sister of the and went to the south-east corner of o'slock, in his room, on 3:d floor, and office, where he found the deceased in the office; it was the corner room, lying on his back. He said: "I saw over the old postoffice; he also saw the that his face was bloody, with a pool deceased; a little after 11 o'clock he made he would have him confined; of blood under his shoulders. His came with Utley to the office; the lathead and shoulders were against the ter asked Hollingsworth for \$5 00, and ty's most prominent and popular young wine celler door, his right hand by his on the latter refusing, he cursed him and Lilly was Utley's threats against a side, feet 25 feet from said door, and said: "I will have Mack (the proprie- kinsman of Lilly. 3 feet from rear door. I found a wound tor) to fire you in the morning." Utley in the right temple one inch behind then shot, and Hollingsworth asked if Williamson, Eq. is one of Cumber- in the right temple one inch behind then shot, and Hollingsworth asked if land's beautiful and charming young and above right eyebrow. I found be he fired at him, and he said, "no, I tween his legs a pistol with all the shot to scare him." Two strangers sober, he is a quiet, peaceable man The U. 8 Supreme Court Sustains Judge shells loaded. The next morning, at came in to register, and Mr. Hollingsthe undertaker's, I made a thorough examination of the body. I discover- while he was gone Utley shot several ed another wound just behind the times in direction of pool-room door; right arm pit." (The clothing of the deceased were here produced, and shown to the jury). Then followed evidence of localities and distances in We went to Utley's room (he and I) and the hotel office. Dr. Rose said that, from the position of the wound, the ton:" witness then told of Utley's conarm must have been extended. He from the majority opinion when the showed, using Sheriff Marsh as his same case was heard by our court and subject, the position of slaver and subject, the position of slayer and slain. The temple wound produced Botanic Blood Balm at our expense. A personal trial of Blood Balm is better than a thousand printed testimonials, so don't death, the other wound was not necessarily fatal. The pistol shot wound, shock and loss of blood was the imme-

diate cause of death. It was impossi-ble for the deceased to raise his arm or Kodol Dyspepsia Cure Digests all classes of food, tones and strengthens the atomach and digestive organs. Cures Dyspepals, Indigestion, Stomach Troubles, and makes rich red blood, health and strength. Kodol reblood, health and strength. Kodo! re-builds wornout tissues, purifies, strength-ens and sweetens the stomach. Gov. G. W. Atkinson, of W. Va., says: I have used a number of bottles of Kodol and have found it to be a very effective and, indeed, a powerful remedy for stomach ailments. I recommend it to my friends. King Bros.

Kodol Dyspepsia Cure "Digests what you cat."

make any movement after the temple wound.

The pistol of the dead man was here produced; the shells were unexploded. He was crossed-examined by Mr. Shaw, He said that Dr. McGougan and Messrs, Plummer, Cooper, Harrison, Overbaugh and Cagle were in the ofice when he arrived. The defense here. using Sheriff Marsh as an example, asked the Doctor if the firing was not done with the left hand. He replied Sheriff the shot must have been fired by the left hand. The prosecution very closely examined the Coronor on statement that he could have made the shoulder wound with a pistol in his pacity, and interest in the case is inleft hand with the deceased holding a

> pistol in his right hand. Policeman I. H. Benton was the next witness. He said that Mr. Hollingsworth came to the Atlantic Coast Line spot with his brother, Mr. J. W. Hol lingsworth, a little after midnight. He accompanied them to the hotel. He saw several persons there; among others the defendant E. L. Utley and the deceased. He said: Utley spoke to me on indifferent matters and began tickling me. I told Utley to go to bed and went across the street and saw defendant come to the front door I walked on down town; Utley overtook me about Clark's store. Utley then went back towards the hotel. turned back up street again, heard rapid firing and saw Simeon Council run out of front door of hotel. When I reached the hotel, I saw Utley halfhand. With my pistol in my hand, I told him to come down; he did so and said: "He fired at me first, didn't he Sim.". In consequence of what I heard I carried him to jail. I cautioned him not to talk. In the wash-room of the hotel, before the shooting, the defen-The policeman said that Utley said to him: "It was a - good shot with the left hand." Utley, the witness said, was drinking. When he arrestridges in his pocket.

think, five rapid repeated shots. Court convened at 9:30 o'clock this morning, and, on the reading of the minutes, on motion of Colonel Broadminutes, on motion of Colonel Broadthe was at the LaFayette on October police headquarters; Utley came in with hand. Utley said, "I will have you foot they were amended to include the 24th, and occupied room 33 on the Benton, who said this man has killed turned off in the morning." Deceased third floor. He said he didd't know Hollingsworth. I went up and found he said, "I don't care if you do." who occupied the opposite room. He was dead, and went back and reported went to his room about 11 o'clock. it; Utley said it was a d—d good shot I ran out of the front door. I did not Heard a conversation in room across with left hand; that Hollingsworth fired see Utley's pistol then or see bim take

Here the court took a recess until examined.

From Saturday's Daily

At the afternoon session yesterday (Friday), Verner D. Moore was called to the stand. He said that he was

down town on October 24th and saw E. worth went up stairs with them, and afterwards Messrs. McQueen and Pinm mer appeared; at that time Hollingsworth was back, and was near the deck.

Cures Blood and Skin Diseaser, Itching Humors, Eczema, Serefula, Etc. Send no money-simply write and try

hesitate to write for a free sample.

If you suffer from ulcers, eczema, scrofula, Blood Poison, cancer, eating sores, itching skin, pimples, boils, bone pains, swellings, rheumatism, catarrh, or any blood or skin diseases, we advise you to take Botanic Blood Balm (B. B. B) Especially recommended for old, obstinate, deep scated cases of malignant blood or

over transom to get away. That was of "not guilty" their client could avail about 10:30 o'clock; Pemberton left himself of any legitimate defence. Mr. later the same way. Sometime after- Rose also addressed the court on the wards I and Utley went down stairs. same lines. Col. Hinsdale said that When Utley shot I was at the cigar the plea of "not guilty" was put in by recalled to prove that there was nobody way up stairs with a pistol in his time of the remark speken of by prethat there was only a single dislocated sanity, without prejudice?" sentence proposed to be admitted by Vis: was it not unfair that this fragmentary sentence, with nothing before or after, should be introduced against the defense. Counsel then adverted to dant spoke harshly of the deceased, the law about the weakness of fragmentary evidence-and here was only a disconnected sentence. Judge Cook then had the jury to retire, to hear now as same as any man in the State.

what the remark was, without prejudice, By the case of Potts you can make any ed Utley he found a hand full of cart- and Mr. Via was called. Hon. J. G. defence that he was insine at time Shaw addressed the bench against the Prof. J. A. Jones, Superintendent of the admission of the remark heard by the Graded School, was the next wit Mr. Vis. Col. Hinsdale then read from proceeded on the plea of 'not guilty' ness. He said he was at the hotel at authorities on fragmentary evidence. the time of the homicide. He went to Judge Cook said he hesitated as to his room a little before 11 o'clock. He | identity. Ex-Judge Satton and Col. knew the defendant and heard him in C. W. Broadfoot adressed the court, the his room (which was next door) with first as to identity, and the second as to etteville on October 24 h from mid Mr. Verner Moore' About midmight malice and motive. How did the frag they left the room. Sometim after- mentary sentence tend to show animus wards he heard three pistol shots as if on the part of the defendant. A tired ton, and Miss Calvert, of Raleigh-to in the hotel. A little while afterwards traveling man goes to sleep, wakes up, he did not know them. He saw the Utley and Moore came back up stairs. bears one single sentence, from a man He heard the latter say he had plenty or men whom he does not know and of cartridges and would load his pistol. never saw. It is far fetched, and it is the office. He also heard him say: "That - too hard on this defendant. Solicitor secondrel would not give me five Lyon spoke as to question of identity,

he brought out nothing new.

Maj. McKethan was placed on the stand to identify the pistols: Asked if he knew E. L. Utley. Prosecution objected; Judge overruled objection. Here followed a family history. Examined as to the condition of the defendant; he said as Clerk of the Superior Court for four years, and from what he has seen he has been satisfied that his mind is not right; previous to the homicide he said he told Dr. H. W. Lilly that U:ley was insane, and chised by the recently enacted constithat action should be taken to confine tutional amendment was filed in the him, and if necessary affidavits were that Utley would kill somebody, or be killed; the cause of his going to Dr.

Examined by the State he said: "M wife is an aunt of the defendant; have not seen much of him; when when drunk, he is irresponsible."

Here the S ate rested. TO-DAY'S PROCERDINGS.

Judge Cook made the suggestion, on the opening of court this morning, that one of the jury rooms be equipped as a law library, to obviate the confusion now apparent in looking up law books. Utley remarked "He has gone after Ben- | Capt. A. B. Williams, Chauman of the Board of County Commissioners, assured his honor that this should be

> The court stenographers are Mrs. Calvert, of Raleigh, and Miss Schrier, of Wilmington. On the assembling of court this morn

QUESTION ANSWERED.

Yes, August Flower still has the largest tale of any medicine in the civilized world. Cour mothers and grandmothers never thought of using anything else for Indi-gestion or Biliousness. Doctors were gestion or Biliousness. Doctors were scarce, and they seldom heard of Appen-dicitis, Nervous Prostration or Heart faildeep seated cases of malignant blood or skin diseases, because Botanic Blood Balm (B. B. B.) kills the poison in the blood, cures where all else fails, heals every sore makes the blood pure and rich, gives the skin the rich glow of health. B. B. B. the most perfect blood purifier mac's. Thoroughly tested for 30 years. Costs 1 per large bottle at drug stores. To prove it cures, sample of Blood Balm sent free by writing Blood Balm Co., Atlants, Gs. Describe trouble and free medical advice sent in sealed letter. This is an honsent in sealed letter. This is an hon-est offer-medicine sent at once, prepaid. Sedberry's Pharmacy. Price 25c and 75c.

versation in room, similar to that told | ing at 9:30 o'clock, on motion of Col. C. by Prof. Jones. When we got back W. Broadfoot, the jury was asked to down stairs, Mr. Benton came in, and retire. Col. Broadfoot then said that all went to the wash-room, except Hol- they had reached that stage of the lingsworth. Recollects carrying whisky proceedings when they desired a ruling to wash-room. I went out through the of the court on the question: "By back door, and when I came back, I putting in a plea of 'not guilty' your passed out to the front, went down An Honor took the ground that the dederson, up Old, and went home. I fendant is now sane. Our reliance is think that was after 12 o'clock. I on the plea of insanity." Here the heard that the two guests who register- counsel quoted the State vs. Potts, ed were Mesers. Duke and Fowler, where the defendant admitted the kill that in the position occupied by the Frank Douglass and Kyle Pemberton ing, but insane at the time, and were in the room with me and Utley, pleaded 'not gailty.' Col. Broadfoot they left about 10 o'clock; saw about 2 then argued on this point. He spoke quarts of liquor in the room; I don't of the vital importance of the matter to know where he got his cartridges from; their side. Solicitor Lyon said that shot his piatol with his left hand when the motion was unexpected to the State; that the plea of not guilty, suphe fired at pool-room door. Cross-examined: Utley had been posed sanity at the time of the off-sase; drinking heavily, and was much in and during the progress of the trial, if liquor that night; don't know of any in he was proven insane, he would have any room except two quarts; part of the benefit thercol. Mr. H. McD. Robthat was druck. The door was locked inson arose and quoted section 3255 of by Mr. Uley, and Douglass climbed the Code. He said that under the plea

> stand, and Utley was near it; Hollings, counsel without conference with the worth was behind the counter with his defendant, as he was not in a condition head down. Utley's right hand was to advise. He said, "If we can have a tied up with a cloth from the bite of a fair trial on insanity, without prejudice dog, and he shot at the pool-room door from the plea of 'not guilty', we are with his left hand. Nothing developed ready to go on with the trial. I know on redirect examination. Moore was that when the plea of 'not guilty' is made the inference is that the defend in the room with him and Utley at the ant is same, but we relied on the case of State vs. Potts. We ask to know if vious witness, Via. Col. Hinsdale said your honor will grant us a trial on in The judge said that it had been ap parent to him that he and counsel for defendant were not concurring on a point of law, and he took the first op-

portunity to intimate that two course were open to them at the beginning the plea of insanity might have been put in, but they did not do so, but chose to put in a plea of "not guilty," and, so far as the record shows, he is of the off-use.

After a full conference of both coun sel for State and defence, the trial with the privilege of the defence to insanity at the time of the homicide

The first witness for the defence was night to nex' day. He went to the hotel about 12:30 o'clock was locked and he knocked. There were several persons in the office but night clerk talking to these men. He was shown to room No. 1, 2nd floor. He heard the shooting, apparently in Simeon Council, night porter at the

hotel, was the next witness. He said,

he was in the hotel the night of Octo

ber 24 b; that Utley came in and said W. R. Wicker examined: He said stand in front, he cursed the deceased not consider him drunk. Not cross apart as far as from me to Mr. Bolton istol when I was just out of the door A. R. Black was the next witness, but | There was no one else in the office as I saw at that time. Mr. Benton cam-

running across the street from direc tion of the bank. Here court took a recess until 2:30 o'clock this afternoon.

At 3:30 court adjourned until Mon day morning. (CONTINUED ON THIRD PAGE )

Virginia Negroes in U. S. Supreme Court.

By telegraph to the Observer Washington, Jan'v 15 -The appeal of negro voters of Virginia disfran



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