

The Wilmington Messenger

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M'GUE TRIAL

Prominent Charlottesville Man Accused of Wife Murder.

EVIDENCE GIVEN

The Defense Decided to Go On With the Trial, Notwithstanding the Continued Illness of Chief Counsel Harmon, Whose Place Has Been Taken by Mr. Coleman of Lynchburg—Dr. Frank McCue, a Brother of the Accused Was the First Witness and He Was Followed by Dr. C. S. Venable, Both of Whom Testified as to What Happened at the McCue Home the Sunday Night, Shortly After the Tragedy Occurred—The Jury Taken to the McCue House for Personal Inspection.

Charlottesville, Va., October 25.—The attorneys for ex-Mayor McCue charged with the murder of his wife, who announced late yesterday that because of illness of Mr. Harmon, chief counsel for the defendant that they felt they could not proceed further, stated at the opening of court today that they had decided to go on. Mr. Coleman, an attorney from Lynchburg has been retained in Mr. Harmon's place.

Dr. Frank McCue, a brother of the defendant, was the first witness. He was called to the home of the accused about 9:15 on the night of the tragedy. He said when he got inside the house he met the brother, now on trial, at the staircase, who said to him that there was some one in the house who had attacked him and probably "had shot Fannie," his wife. He detailed the finding of the dead body of Mrs. McCue, clad in a night robe in the bath tub on the second floor and described the wounds, there being one on the right ear, another on the left side of the nose and a gun shot wound in the breast. The water was running in the tub at the time. On coming out of the bath room, witness told his brother of the finding of the body, where the latter exclaimed "Oh, my darling wife." As the witness repeated this the accused buried his face in a handkerchief and burst into tears. The witness also told of the finding of a gun and a baseball bat in the bath room, the latter bearing a red stain near the end. The exhibits were identified by witness. The gun is a repeating shot gun. Witness believed his brother came into the doorway of the bath room and saw the dead body. On entering the room the odor of burnt gun powder was present, witness said.

On meeting his brother in the house he asked where his wife was, when the accused, he said, told him to "go look for Fannie." He said he could get no replies to his questions from his brother, that he seemed dazed and that when he went to attend his brother later he offered him a stimulant, which was declined. The witness said he observed a wound on his brother's cheek, from which blood was dripping on his shirt.

Mr. McCue said on cross examination that his brother complained of pain in his head and that blood was dripping from his nose, which would result from an injury to the head, and that the wound on his brother's head was such as would be made by a blunt instrument. The witness was questioned as to the nature and effect of wounds produced by a sandbag.

Dr. C. S. Venable who was at the McCue residence shortly after the tragedy occurred, characterized the wound on the defendant's head as an abrasion. He found no other wounds on McCue's head. He too, was questioned regarding sand bag wounds.

Dr. Venable said he was holding the defendant's hand when the latter asked Dr. McCue if his wife was dead. Being informed that she was, he gave utterance to an exclamation. Witness said he noted no change in his condition after receiving the announcement that his wife was dead. He said he was surprised that McCue did not know his wife was dead up to that time. The defendant, in reply to him, had explained that some one rushed in and that it all happened so quickly. A number of people had gathered at the house when he arrived. The accused, he said, complained of pain in the back of his head, but on examination he found no external marks of violence. He did not observe blood coming from the defendant's nose, and in reply to counsel said a wound/such as appeared on the defendant's head would not produce unconsciousness in his judgment. When he saw the accused the day following the tragedy he was perfectly rational.

Dr. Venable said that Mrs. McCue's

BETTER TRADE CONDITIONS.

PRICES OF HARD YARNS HAVE INCREASED.

The Advances Were Brought About by the Co-Operation of the Spinners Who Recently Organized in Charlotte—A Permanent Advisory Committee Will Fix the Schedule of Prices for Southern Mills.

Charlotte, N. C., October 25.—A meeting of the Hard Yarn Spinners of the South was held here this afternoon. Nearly five hundred thousand spindles were represented. The object of the meeting was to review the state of trade conditions since the organization meeting September 27.

The greater part of the time of the meeting was consumed in a discussion of the report of the advisory committee, embracing a number of recommendations looking to further promoting the interests of the spinners. It was pointed out that substantial advances in prices had already been secured, through the co-operation of the spinners, who were urged to stand by the organization and assist in bringing about further reforms and improvements.

J. P. Wilson of the Louise mills, Charlotte, resigned as a member of the advisory committee and Charles Ieaman, of McColl, S. C., was elected to succeed him.

Prices of hard yarns have increased from 2 1/2 to 3 cents a pound since the original meeting held in this city on September 27th, and without exception, every spinner was disposed to give credit to that conference and the action taken for the stimulus. Several spinners did not hesitate to say that they had made good sales in accordance with the new schedules and all agreed that the trade was recovering from its recent state of demoralization.

The spinners finally approved the present and original plan that a permanent advisory committee to meet weekly, study market conditions, and fix the schedule of prices for southern mills. It is expected within a few months that every mill in the Southern States will be in the association and bound by its iron clad agreement of prices.

An official statement issued by the advisory board tonight says that the report of the board to the meeting was received with much interest and the report together with the course pursued by the board in its several weekly meetings was unanimously endorsed and approved. The statement then continues:

"The general situation was thoroughly reviewed and evidence conclusively presented showing that the co-operation during the past several weeks by the hard yarn spinners has resulted in stimulation of formerly demoralized conditions of the hard or weaving yarn business, not only in the Southern States but in the New England State as well."

The schedule of prices issued on the 18th instant beginning with 4 1/2 ply at 16 1/2c and running to 40-2 ply at 28c, was reaffirmed.

night robe was not blood-stained until after her body had been turned over. The wound on the back of her head, he said, might have been made by contact with the bath tub, but the one on the ear he thought to have been made with some blunt instrument. The gunshot wound in the breast, he said, was an inch long and badly powder marked, indicating very close range. It was of such a character that death would be practically instantaneous. The wound from the shell had lodged against the spinal column. He gave it as his opinion that the wound could not have been inflicted with Mrs. McCue in the position in which she was found, and said he did not believe she could have stepped into the tub after having been shot, as he did not think more than a half dozen of the heart beats followed after the shot entered the breast.

The witness was closely examined by counsel for the defense as to the presence of a piece of blood stained cloth in the bathroom. Witness saw none, although he would not say that such a piece might not have been present and escaped attention during his investigations that night. On the day following the shooting he testified that he discovered finger marks on Mrs. McCue's throat, made in his opinion by a left hand, also a broken finger nail on one hand. The defendant did not touch the dead body of his wife to the knowledge of the witness. The blood stained night robe was shown to the jurors, each of whom carefully inspected it. The defendant followed the testimony closely today and took deep interest in the evidence given. Only twice did he give way to emotion.

After City Engineer C. T. DeMott had described diagrams of the McCue house the jury was taken to the premises on park street not far distant from the court house, personally to view the house. Judge Morris, the court officials, attorneys, the defendant and bailiffs accompanied the jury, the court having previously admonished the spectators that none must attempt to accompany them. Policemen were posted to see that the court's orders were not violated.

After the interior arrangements of the McCue home had been noted and distances from the house to different points told them, the court and jury returned to the court room and adjournment was taken until tomorrow.

A SUCCESSFUL AIR SHIP

AERIAL PERFORMANCE AT THE ST. LOUIS EXPOSITION.

The Arrow, Propelled by Roy Knabenshue, Made a 10 Mile Flight, Over the Exposition Grounds and Above the High Buildings in St. Louis—Until the Motor Broke, the Air Ship Was Directed in Any Course Desired

St. Louis, October 25.—Propelled part of the way by its own power and the remainder of the distance by the wind, which was blowing at 10 miles an hour, The Arrow, an air ship owned and perfected by Thomas S. Baldwin, of San Francisco, in charge of A. Roy Knabenshue, of Toledo, today made a flight of 10 miles from the world's fair grounds, over St. Louis and across the Mississippi river to Cahokia, Ill.

The aerial performance attracted the attention of thousands of persons who cheered almost continuously as the big flying machine passed over the exposition grounds and soared high above the high buildings of the business quarter of St. Louis.

Clinging to the frame work of the car, his precarious foothold an iron tube that forms one side of the base of the triangular net work of supports and of The Arrow's body, Knabenshue directed the movements of the flying machine and maneuvered in circles and against the wind high over the great buildings of the exposition, before an accident to the motor rendered the big fan propeller useless and curtailed his command of direction, but not of suspension or descent.

When the motor broke Knabenshue maneuvered the flying machine into the wind and to land at a point of his own selecting. Arrow in a course that varied several points either way from the trend of the wind and to land at a point of his own selecting.

When within ten feet of the earth, Knabenshue threw out his grapple and one of the hooks caught in a large tree. The large balloon settled slowly to the ground, resting lightly on its framework.

Knabenshue alighted, secured the airship to prevent injury from the wind and assured Mr. Baldwin by phone that The Arrow was uninjured, except for the minor breakage of the motor.

After landing Knabenshue said that in his opinion the trial of the airship was a distinct success. He said that he could have brought the flying machine to the ground at any time, but that as he could to a certain extent, control its movements and that as he felt himself in no danger, he decided to continue the flight and demonstrate that even though the motor was broken, The Arrow could be controlled.

The flight occupied exactly one hour. The motor broke about fifteen minutes after the airship left the aeronautic concourse.

The airship was constructed under the personal supervision of Captain Baldwin in California, and differs in many features from ships constructed in the past.

On the ship Captain Baldwin places his hopes of winning the \$100,000 prize at the fair.

The gas balloon is cigar-shaped, of Japanese silk, 54 feet long and 17 feet in diameter, and requires 8,000 cubic feet of gas to inflate it. The frame attachment is 30 feet long. It carries a double cylinder, 7 horse power gasoline engine, making 2,000 revolutions of the propellers a minute possible. The machine is arranged so that the ship is pulled, instead of pushed.

Today's flight was not a trial for the world's \$100,000 prize, Captain Baldwin said, but simply a trial to convince the residents of St. Louis, and the world's fair visitors that he had an airship that could fly.

STEAMER TIED UP.

Fayetteville and Wilmington Steamboat Company May Be Thrown into Hands of a Receiver.

The Fayetteville Observer of yesterday contained the following which will be read with interest, as the steamer "City of Fayetteville," runs between Fayetteville and this city:

A few days ago Mr. Herbert Lutterloh got a restraining order against the Fayetteville & Wilmington Steamboat Company, and an order to show cause why a receiver should not be appointed for the company. Yesterday the order was vacated and judgment given Mr. Lutterloh for a bond \$450, and \$150 additional.

Yesterday John I. Jacobs, of New York, to whom had been assigned the claim of the crew of the City of Fayetteville, for salaries due them, obtained seven judgments amounting to \$1246 in all and execution was issued and Constable Goddard levied on the "City of Fayetteville."

The boat is still in his hands, awaiting further developments in the case.

POSTMASTER VAN COTT DEAD

NEW YORK OFFICIAL DIES OF HEART FAILURE.

The End Was Sudden and Followed An Attack of Acute Nervous Indigestion—Lately Mr. Van Cott Has Suffered a Great Amount of Trouble and Worry and This Connected With His Advanced Age, Hastened the End.

New York, October 25.—Cornelius VanCott, postmaster of New York city, died suddenly this afternoon of heart failure, following a sharp attack of acute nervous indigestion.

He was taken ill yesterday afternoon at his office in the federal building and his condition was such that the attending physician deemed his removal unwise at that time. Today Mr. VanCott appeared much better and was taken to his home in West 36th street. Shortly after, the patient had a sinking spell and died at 3:25 o'clock.

Mr. VanCott had been a vigorous man, but of late he had been subjected to an unusual amount of trouble and it is believed to have undermined his health. He assisted in the establishment of a commercial agency and signed notes to a large amount. The concern failed and Mr. VanCott was called upon to pay over \$23,000 which took practically the savings of his life time. About this time an investigation of the New York postoffice was undertaken by the Washington officials, but the integrity of the postmaster was not impugned. Notwithstanding the favorable outcome, he worried much over the affair.

The recent arrest of his son, Richard VanCott, charged with colonizing, was a severe blow to the postmaster who expressed his firm belief in his sons' innocence. These troubles, coupled with advancing age—he was in his 67th year—played an important part in bringing on the fatal illness. He had long been prominent in New York politics.

BANQUET BY PILGRIM SOCIETY.

In Honor of the American European Squadron—Loud Applause Greets Reference to the Lack of Jealousy Between the American and British Navies—The North Sea Incident.

London, Oct. 25.—"I thank God the day has come when neither the British nor the American navy can be jealous of each other's development."

Rear Admiral Jewell, in the foregoing sentence, tonight elicited loud cheers when he replied to the toast in honor of the American European Squadron at the banquet given by the Pilgrim Society. Lord Selborne, first Lord of the admiralty, presided.

Lord Selborne in proposing a toast to the American naval guests, said he must refer to the "inexcusable outrage" in the North sea. In a similar case, said Lord Selborne, the American or British navy would make immediate and ample apology. "They would punish," added Lord Selborne amidst loud cheers, "the perpetrator of such a terrible blunder and demand security against its recurrence. I no more doubt that I am standing here than that the Emperor and Russian people will feel their responsibility and take the same action as would the British or American peoples."

Lord Selborne proceeded to pay a glowing tribute to the American navy and emphasized instances of co-operation between the British, French and American navies.

Rear Admiral Lambton declared that he could never believe any naval officer, Russian or otherwise, would do a dastardly act intentionally. Naval officers sometimes make mistakes, but said Admiral Lambton "give them time to apologize and everything will be all right."

Admiral Lambton's statement, combined with Lord Selborne's expressions, are taken as practically closing the North sea affair. Admiral Lambton said the Emperor and Russian people have voiced the highest wishes.

Rear Admiral Jewell did not refer to the Anglo-Russian difficulty, but in the briefest of speeches won loud applause by reference to the lack of all jealousy between the American and British navies.

Among the many telegrams read at the banquet was one from the archbishop of Canterbury, referring in glowing terms to his visit to America and expressing regret that he was unable to be present at the Pilgrims' banquet.

For a Reconviction of the Hague Conference.

Washington, October 25.—Acting Secretary of State Adee today dispatched a note looking to a reconvention of The Hague conference. This is an invitation from the President of the United States to the signatory powers of the original Hague treaty to come together again for the purpose of broadening and strengthening the original convention and especially to consider means to further ameliorate the horrors of modern warfare, and to conserve and extend the rights of neutral commerce on the high seas.

Gillette Safety Razor Wins.

(Special to The Messenger.)
St. Louis, Mo., Oct. 25.—The Gillette Sales Co., Chicago, was awarded Gold Medal at Fair for beauty, safety and practical shaving qualities of their safety razor. It has by far the largest sale of any in the world.

ALL QUIET NEAR SHAKHE

NO RECENT FIGHTING OF ANY CONSEQUENCE.

The Rival Armies are Very Near Together and An Early Contact is Probable—Kuropatkin Placed in Command of all Land Forces in the Far East and Alexieff Continued as Viceroy—Reported that the Chilian Navy Has Been Purchased by Russia.

No fighting of any consequence by the Russian and Japanese armies in the vicinity of Shakhe is reported. Emperor Nicholas has designated General Kuropatkin to command all the Russian land forces in the far east. Alexieff has been continued in the office of viceroy.

CHILIAN NAVY PURCHASED BY RUSSIA.

St. Petersburg, October 25.—3:25 p. m. A story is current here that Russia has purchased the Chilian navy, which will join the Russian second Pacific squadron at the Azores islands. According to the report an infraction of Chilian neutrality will be avoided by transferring the ships to Turkey, for which the porte will receive \$2,000,000 from Russia. While the story receives some credence, it is denied in responsible quarters.

KUROPATKIN MADE COMMANDER-IN-CHIEF.

St. Petersburg, October 25.—An imperial ukase, dated October 23, appoints General Kuropatkin commander-in-chief of the Russian army.

ANOTHER DAY PASSES QUIETLY.

St. Petersburg, October 25.—A dispatch has been received from General Kuropatkin announcing that there was no fighting yesterday between the opposing armies.

REPORT OF THE JAPANESE CASUALTIES.

Tokio, October 25.—7 p. m. Field Marshal Oyama reports that the Japanese total casualties were 15,879 officers and men at the battle of Shakhe river.

ARMIES AVERAGE ONLY 600 YARDS APART.

General Oku's Headquarters Sunday, October 23.—4 p. m. via Fusan, October 25.—It is reported unofficially that the right army buried 3,500 Russian dead, the central army 1,500 and the left army about 5,000.

The armies average 600 yards apart and at places only 50 yards separate them. The men are constantly in the trenches and by placing their caps on their bayonets draw scores of bullets from their opponents.

The Russian artillery is searching the Japanese lines and skirmishes are almost continuous.

PREPARING FOR THE COMFORT OF THE SOLDIERS.

General Oku's Headquarters Sunday, October 23.—5 p. m. via Fusan, October 25.—The official report of the Japanese casualties from October 10 to October 22 is as follows:

Killed—Officers 46; men 823.
Wounded—Officers 213; men 5,340.

The first indications of winter are appearing. At night the thermometer shows several degrees below freezing point. Heavy clothing and overcoats have been issued to the men, who, apparently, are not affected. Elaborate preparations are being made to provide for the comfort of the troops during the winter months.

JAPANESE WAREHOUSES BURNED

The Foo, October 25.—6:30 p. m. A junk which arrived here today from Antung, on the Yalu river, reports that eight Japanese warehouses, containing rations, clothing, ammunition and the prizes secured at the battle of the Yalu, were burned recently; the fire lasting two days. Incendiarism is suspected. Two Japanese officers who were responsible for the care of the buildings committed suicide.

ALEXIEFF RETAINED AS VICEROY

St. Petersburg, October 25.—A Harbin dispatch states that Viceroy Alexieff on Monday published an imperial decree appointing General Kuropatkin commander-in-chief of all the land forces in the east and retaining Alexieff in the post of viceroy. The Emperor also congratulates Viceroy Alexieff on the efficiency he has displayed in the formation, concentration and supreme direction of troops in the theatre of operations. Alexieff, in his proclamation, thanks the land and sea forces for the self sacrifice they have shown and says he is proud of the mark of confidence bestowed upon him by the Emperor in entrusting him with the supreme command of gallant troops. He hopes, in conclusion, that with God's help their strong adversary will be defeated.

Supreme Court Opinions.

(Special to The Messenger.)
Raleigh, N. C., October 25.—The following opinions were filed by the Supreme court: Beall vs. D. and C. Railroad, from Chatham, affirmed; States vs. Morgan, from Union, new trial; Joyner vs. Futrell, from Northampton, no error; State vs. Smith, from Richmond, Per Curiam, no error.

CRISIS PAST

Russia Will Concede Every Demand Made by England.

FOR AN APOLOGY

For the Act of the Russian Fleet in the North Sea—Compensation Will be Given the Sufferers and the Officers Responsible for the Blunder Will be Punished—The Delays in Diplomatic Procedure Have Prevented Full Settlement of the Differences—Great Britain is Still Stirred and the People are Solidly Behind the Government, but Russia's Apparent Eagerness to Make Full Reparation Has Done Much to Allay the Deep Resentment in the Public Mind.

London, October 26.—A dispatch from Hull to the Times says that the correspondent, as the result of his investigation, is of the opinion that the attack on the British trawlers by the Russian second Pacific squadron was a deliberate act, perpetrated with knowledge of its character.

London, Oct. 25.—The inevitable delays of diplomatic procedure appear to retard a complete and satisfactory settlement of the acute differences between Great Britain and Russia arising from the deplorable North Sea affair. King Edward has received from Emperor Nicholas himself a telegram expressing the deepest regret and a practical acknowledgment that Great Britain's peremptory note will meet with a reply conceding every demand for an apology for the act of the Russians against the British flag, compensation for sufferers and punishment of the officers responsible for what is everywhere conceded to have been a gigantic blunder, and the Russian ambassador to the court of St. James has expressed to Foreign Minister Lansdowne his sorrow and sympathy. These developments, which came late in the day, have allayed to some extent the deep resentment in the public mind and the admiralty tonight gave evidence of its appreciation of the necessity of proving that it is prepared actively to support the position of the people of Great Britain and fulfill the expectations of the world when it issued the following statement:

"On receipt on October 24 of the news of the North sea tragedy, preliminary orders for mutual support and co-operation were issued as a measure of precaution from the admiralty to the channel, Mediterranean and home fleets."

The day has been one of the busiest in twenty years in diplomatic circles here. The Russian ambassador, who only reached London shortly before midnight Monday, was an early caller at Lansdowne House and had a long interview with Lord Lansdowne, after which the foreign minister drove to Downing street and conferred with Premier Balfour and others, and for the rest of the day was occupied with a mass of matters pertaining to the affair. Almost momentarily the public expected some definite announcement of an official nature, but late this evening the foreign office announced that no further statement would be issued tonight. It is understood that this is because it is considered that it would be unwise, in the present state of public feeling, to make any intermediate proclamations, concerning diplomatic proceedings in view of Great Britain's announcement to Russia that the matter would not brook delay.

Count Benckendorff, the Russian ambassador, was occupied until late tonight at the embassy with a mass of cipher dispatches, and it was announced at the embassy that it would be physically impossible to prepare a formal reply in such a short time.

While Great Britain is stirred to its depths, there has not been the slightest evidences of a repetition of the rowdyism of last night, which is condemned on all sides. The suggestion that Ambassador Benckendorff's visit to Lansdowne House instead of Downing street was due to fears of mob violence, is indignantly denied at the foreign office and at the embassy. In fact, there was not the slightest sign of any gathering of a hostile crowd at the foreign office, although the police precautions were most thorough. Count Benckendorff himself discussed the incident of last night as trivial, and did not appear to consider it worth notice. Popular appreciation of the situation, however, was evidenced when King Edward appeared in public today. He was greeted with more than usual enthusiasm on account of the decided tone of his telegram to the mayor of Hull on Monday. The speeches of the

(Continued on Fifth Page.)