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THE SHOOTING OF TOLER HAS A NEW FEATURE Case of State vs. Abner Parris on Trial Today Before Justices Baxter and Davis

ANY NUMBER OF WITNESSES

Still Hearing Evidence in the Case.

The case of State vs. Abner Parris, growing out of the shooting of Tom Toler last Sunday evening was called today before Justices of the Peace E. Z. R. Davis and W. K. Baxter. Appearing for the defence were R. A. Nunn and R. B. Nixon, while A. D. Ward, M. H. Allen and E. M. Green for the state. The case was to have been heard before Justice Barrington, but the defence asked to have it tried before other magistrates, and Messrs. Davis and Baxter are hearing the case. There were any number of witnesses to be examined and the court took a recess at 2:05 until 3:30 o'clock. During the trial the widow and children of Thos. Toler, the man who was shot, was in the audience.

The first witness, Thos. Toler, a man, said he was at the camp Sunday last and saw Toler after he had come back from the station. Witness said Toler had whiskey and saw him take a drink; that Toler was in a playful mood; would run and jump about; first going in his cell and then running out, and was playing around in that manner. Heard guard, tel Toler to go in the cell. Heard Toler say he was going to town and run off toward the woods. Heard Guard Parris tell him, "If you run I will shoot you." Heard Toler say, "Shoot and be d-d." Heard Parris say, "I dare you to attempt to run and I will shoot you." Saw Toler take another drink and say lots have some fun at my expense, and kept on the running and playing around. Witness said Toler kept this up until in his opinion, Toler did not know what he was doing. Heard Guard Swindell call on the crowd to help Toler and he for one, had started to get out of the way or he would shoot both of them. Witness said when we were going to take him, Parris shot him.

In reply to questions, witness said Toler was walking backward when witness turned his head. Was about twenty-five people present and saw the shooting. All had started to take him when he was shot. Stuck that Toler had was a walking cane about the size of witnesses thumb. Had no other weapon. Was a cripple and had to use stick to walk with. Went out then to see Will Stallings. Never heard Toler say that he would cut the liver out of any — — that came in four feet of him. Was about 25 steps from the camp. Toler was near the bushes. Was not there when Toler went to the train. Witness denied hearing any threats.

In reply to questions concerning himself, witness said that he had shot a negro and carrying a little whiskey. I sometimes work in the logging business. Witness then pointed out an on a diagram about where Toler was standing when shot.

W. T. Holland.

W. T. Holland, col. testified that he was at the camp Sunday. That Parris sent him to the station to tell Mr. Swindell about Toler being there. He went to the station but before he got there he overtook Toler and Swindell. He came back and told Mr. Parris, and Parris said — — I will shoot him.

In reply to questions witness said he was a convict in the camp. Was put there for carrying a concealed

put there for carrying a concealed weapon. Was arrested for fighting, and the weapon was found on him; that he came from North Harlowe. Witness said he had nothing against Parris, that Parris had never done him any harm.

Replying further to questions, witness said he heard Parris say, if he (Parris) was in Swindell's place he would bring Toler back in a box.

Thos. Fay.

Thos. Fay, col. said he was in camp Sunday and went over the run of things and conditions leading up to the shooting, having heard Toler say, take my life but don't take my whiskey. Heard Parris tell Jonnie to get out of the way, that he (Parris) was going to shoot him. That Toler was getting further off from Parris all the time. Heard Swindell summons men to take him and no one went, but was going when Parris shot him.

Witness stated he (himself) was on the road for 12 months for selling whiskey. Was right good crowd of people present, witness said.

Harry Douglass.

Harry Douglass testified that he was there at the camp and saw Toler come to camp; saw him go on step, then step back off, and heard him remark that he was going to take a drink and of — —

dell to stand aside or he would shoot both of them. Witness said he heard Swindell tell Toler to go in the stockade.

Replying to question witness said he was in the camp for larceny; couldn't tell how far it was from the house to where he was shot; saw Toler run off; heard that they had been to station. Heard Toler tell Parris — — he did not have nerve enough to shoot him. Parris said all right, if you run I will shoot you.

Will Styron.

Mr. Will Styron testified that he was at the camp Sunday, had been there between the morning and evening trains. Went there with Toler's children, that they might see him. Witness said when Toler would come out he would call Swindell to go with him. And when he left to meet the train and got at the station saw Toler coming. Mr. Swindell was with him.

Toler said he wanted to go to New Bern. When train started Toler asked if both his children were on the train and walked in the car.

Toler got on the train and when he saw Mr. Smith went in a closet and closed the door. After some force was used to get in the place Toler told them to get away and he would come out. Swindell summoned what men were there to get him but no one took hold.

Conductor told Toler to come out. Toler made no answer. When Toler came out Swindell said he needed help and Toler said no that he would go. Smith said lock him up when he gets back to the camp.

Witness said Toler had no weapon except his walking stick.

In reply to questions witness said he did not carry any whiskey there, have gave him whiskey when Toler was out here (pointing out to the edge of the city.)

Witness said Toler was not in condition to run.

Other Witnesses.

Several other witnesses testified to about the same as was testified by the above witness, excepting Ed Hill, who told of the shooting and what followed. Witness said Swindell told him to get some water for Toler, and that he heard Parris tell Toler if he ran he would shoot him, saying, "Tom if you run, I will certainly kill you."

On being questioned, witness said there was no white man to bother Toler. Witness said that Dave Bryant and himself were all who went to him.

Myself and Charlie Slade came with him to town; there was about 15 or 20 people present. Said Lewis gave them whiskey to give Toler, if he should ask for anything while on the way to town.

Will Stallings testimony was along the same line of the others, except that witness stated that he was 5 or 6 feet from him when he fell. Witness said he saw no weapons. Nor had not given Toler any whiskey. That the whiskey was out in the woods about 150 yards.

OUT ON \$1,500,000 BAIL.

Abraham Ruef Shown to Be a Millionaire. By Wire to The Sun.

San Francisco, July 10.—Abraham Ruef was released from the county jail last night on bonds aggregating \$1,500,000, the largest amount ever given in a criminal case in this state. This sum is the aggregate bail on 78 indictments returned by the Oliver grand jury, which charges Ruef with bribing the former board of supervisors in connection with the granting of franchises to public corporations and whereon he was taken in custody on March 8th, 1907.

Twenty sureties, including Ruef's father and sister and himself, signed the bonds. It developed that Ruef owned real estate in this city which he recently transferred to his father and sister, and on which a real estate expert placed a value of \$1,095,556. Ruef's annual income from this property was \$16,900. His father and sister went his bond to the amount of \$690,000, while his bond to the amount of \$870,000.

Ruef's next trial has been set for July 15th on one of the indictments charging bribery in connection with the granting of a franchise to the United Railroads.

PASTOR'S PRAYER ANSWERED.

He Had Asked That Resorts Where He Had Asked That Resorts Where

By Wire to The Sun.

Chicago, July 10.—Twelve hours after Rev. George Edward Lewis, in a public prayer, had asked that the amusement resorts of Irving Park, where liquor is served might "be burned to the ground," Excelsior Park was consumed by fire yesterday.

The prayer was offered at a revival meeting of the Emmanuel Congregational Church, held in a tent. Excelsior Park is within three blocks of the improvised church.

Proprietors of other parks in the neighborhood admitted last night that they are both puzzled and frightened. They also declare that they have taken precautions to protect their properties. The effect of the preacher's words and the actual burning of one of their rivals in business have hastened a general expurgation of the faults touched on by the minister.

A. J. Smith, proprietor of the destroyed place, said last night that his loss would be about \$50,000. He thought that crossed electric wires was probably the cause of the fire.

RABBIS OPPOSE CHILD LABOR.

Central Conference Unanimously Adopts Resolutions.

By Wire to The Sun.

Frankfort, Mich., July 10.—The Central Conference of American Rabbis today unanimously adopted a resolution expressing "sympathy with all movements in state and federal legislation that endeavor to abolish child labor, as well as with all movements that make for the proper development of child life through education and recreation."

Rabbi Samue Schulamman, of New York, presented the report of the committee on the elaboration of a systematic Jewish theology. It proposed the publication of a volume of essays on the fundamental principles of Jewish theology.

MARKET REPORT.

Cotton— By Wire to The Sun.

New York, July 10.—Cotton active prices firm, July offered 4.50.

Stocks— New York, July 10.—Smelting down 3-4, B and O. and D. and H. 5-8, Copper, St. Paul, Illinois, Central, Union Pacific, Southern Pacific 1-4. Reading 1-5, Rock Island and Anaconda Unchanged, Great Northern one-half higher, Consolidated Gas and Brooklyn Rapid transit 1-4. Steel unchanged.

CAPITAL CITY NEWS BUDGET

News of Interest From Raleigh

WAKE COUNTY MEDICAL SOCIETY

And Partook of a Barbecue at the State Fair Grounds—Bud Bell and Ed Long Now in Pen—Other Items of Interest.

Special to The Sun.

Raleigh, N. C., July 10.—The Wake County Medical Society today held its annual meeting and partook of a barbecue out at the state fair grounds. The society is a thorough going working body having for its purposes both the professional advancement of its members and the protection of their financial interests in maintaining standard fees and co-operation against those who would unnecessarily defer the payment of "doctor's bills." Dr. W. I. Royster is president.

Bud Bell and Ed Long, two negroes were brought here today from Cary and lodged in Wake jail to await trial at the next term of criminal court on the charge of seriously cutting Pascal Evans last Sunday. Evans and his sweetheart had been to church and were returning home when they met Long and Bell who picked a quarrel with Evans and cut him in the fight that followed.

An order for state military headquarters, second Lieutenant Broder of the Third Infantry, Greensboro, to proceed to Chickamauga July 13 for duties at the manoeuvres of the Second Infantry.

There have also just been issued commissions to J. Jno. A. Williams and Eugene M. Lewellyn as first and second lieutenants of company E, Third Infantry, Oxford.

"Boots" Brown, the negro captured this week in Norfolk after being a fugitive for eight years for shooting to death in cold blood a woman in Raleigh against whom he had a grudge, is to be brought here Saturday by a Norfolk officer. The necessary requisition has been procured from the executive office of Governor Glenn on the governor of Virginia. When he delivers the prisoner the Virginia officer will receive the reward of \$200 that has been outstanding for "Boots" all these years.

The general offices of the North Carolina section director of the United States weather bureau here is to be moved into new quarters in the new \$125,000 Masonic temple within a few days from the Fisher building which has been the tallest here for a great while. The equipment in the suit of offices and on the roof garden of the temple are being placed and will be much more complete than ever before provided for any office in North Carolina by the Washington department.

A telegram came today to Hon. J. Y. Joyner, state superintendent of public instruction, informing him of the death of his aunt, Mrs. F. T. Oliver, of Mt. Olive. She was a widow and leaves a married daughter and two sons, the latter living at Mt. Olive. The daughter is Mrs. Norman Royal, of Wilmington. Mr. Joyner left during the afternoon for Mt. Olive.

Mr. Henry C. Brown, secretary to the North Carolina corporation commission, has developed typhoid fever. He has been ill at his home here for ten days. The physicians are hopeful that it will be only a mild case.

An amendment to the charter of the Roberdel Manufacturing Company, of Rockingham, Richmond county, is filed with the secretary of state increasing the capital from \$200,000 to \$500,000. T. C. Leake being president of the corporation.

The work of receiving the reports of corporations doing business in the state and assessing the capital stock (Continued on Page Eight.)

WILLIAM JENNINGS BRYAN NOMINATED, FIRST BALLOT

Hammond Who Nominated Johnson Moved to Make The Nomination Unanimous

RESOLUTIONS ARE CARRIED

No Nomination For Vice President as Yet

Denver, July 10.—As the hour approaches for the convention to pick the candidate for second place from the list of forty or fifty availables, the feeling is general that John W. Kerr, of Indiana, John Mitchell, of Illinois, Ollie James, of Kentucky, and Herman Ridder, of New York are men having the chance to be nominated, but nothing definite yet and another all night session may be required.

Bryan would like James best, it is believed, but sentiment is growing stronger every minute that Mitchell is needed to catch the big labor vote in the mining and manufacturing states, particularly now as Gompers anti-union plank is in platform. If New York and Tammany leader Murphy could get together on one man that leaves toward Bryan, the former state senator of Connecticut and seems disinclined at this hour to come out for Herman Ridder, Francis Burton Harrison or Judge William J. Gaynor, are strongest men the Empire State has to offer.

Eastern man safe to assume, will be named in the end.

There may be another battle when the convention convenes at 1 o'clock, as there are 20 to 40 candidates for second place.

Judge Gray, of Delaware, ran ahead of Governor Johnson, of Minnesota, in the voting for first place and there is no question of a nomination if he will take second place. Archibald McNeill, of Connecticut is the next strongest man.

From Francis Burton Harrison, New York, the list dwindles to some one in the west. It is conceded that the east shall have the naming of vice president and New York is the logical state to get it.

Happenings in Denver's beautiful convention hall early this morning was not unknown to the nominee as Colonel Martin, sergeant at arms, got into communication with Mr. Bryan by telephone and Bryan heard the second demonstration following the presentation of his name by Mr. Dunn.

"Oh that I could see that," he shouted over the telephone.

"I am a happy man tonight."

That happened early in the evening. Eight hours afterwards.

Bryan's third nomination was made unanimous. The convention adopted the platform in accord with Bryan's views on the financial and labor situations.

The platform is one of the strongest items the republicans will have to deal with in this campaign.

Chairman Clayton was almost voiceless from his strenuous day, but carried the seconding program through although the convention was in an uproar most of the time.

Men arose to second the nomination but the delegates would call "time" almost before they could start.

Scene of discord and disorder from start to end of the seconding speeches. Even during the presentation of the name of Judge Gray, delegates attempted to dismiss the speaker by calling "time," but he persisted and compelled them to listen to his speech.

Fairview, July 10.—The presidency is the highest official position in the world and no one occupying it can afford to have his views upon public question biased by personal ambition. Recognizing his

responsibility to guard and his obligation to his countrymen, he should enter upon the discharge of his duties with singleness of purpose believing that one can best do this when he is not planning for a second term. I announce now, as I have on former occasions, that if elected, I shall not be a candidate for re-election.

Then Mr. Bryan added: "This nomination is as pure a nomination from the people as was ever made. If elected by obligation will be to the people. I appreciate the honor the more because it came not from one person or a few persons, but from the rank and file of the democratic party, acting freely and without compulsion."

Denver, July 10.—William Jennings Bryan was nominated by practically a unanimous vote at 3.42 this morning, after an all night session.

Hammond, who named Governor Johnson, moved to make the nomination unanimous, and was quickly followed by other states, which had cast votes for either Gray or Johnson.

Resolutions were carried with a wild whoop and the convention recessed until 1 o'clock today when the running mate for Bryan will be named.

The official vote was: Bryan, 892 1-2; Gray 59 1-2; Johnson, 8; absent,

Denver, July 10.—Mr. Hill's name Clark Howell at 2.25 for vice-president.

John Walsh names Archibald McNeill, of Connecticut for vice-president.

At 2.20 p. m. Governor Thomas, of Colorado, places in nomination for vice-president Chas. A. Towne.

Thos R. Marshall at 2 p. m. places in nomination for vice-president John W. Kern, of Indianapolis.

The speech of Governor Glenn, seconding the nomination of William Jennings Bryan, will be found on the seventh page.

THREE YEARS' STRIKE TO END.

Benefits to Hartford Printers Will Cease July 18th.

Hartford, Conn., July 10.—The printers' strike inaugurated in the job offices in this city September 14, 1905, is to end, word having come from the International Union that after July 18 all strike benefits will cease.

For a year married men received \$11 a week and single men \$9. Then the benefit was cut to \$9 for married men and \$6 for single men.

About 100 men struck on the order of the International Union and at present 46 men are carried on the benefit list.

JUMP TO DEATH FROM FIRE.

Four Killed in Leaping Out of Budspest Plant After Explosion.

Budapest, July 10.—A serious fire broke out here today, as a result of a benzine explosion on the premises of a chemical cleaning company, and the flames spread so rapidly that it was feared that many of the 200 persons employed by the company would be burned to death.

Four persons were killed by jumping from windows. Two women were burned to death, making the total loss of life six. Fourteen of the employes sustained serious injuries and the remainder were rescued.

Oil Tank Keeps Firemen at Bay.

Winston-Salem, N. C., July 10.—Fire at Enterprise destroyed the frame building owned by the Junior Order United American Mechanics, and goods belonging to J. W. Zimmerman and A. R. Craster, valued at \$3,500. Fear of an oil tank in the rear of the building exploding kept the