

WILCOX REMAINS COLD AS MARBLE

Lawyer for Prosecution Compares Him with the Murderer of McKinley—Two Speeches Yet to Be Made

Elizabeth City, N. C., March 19.—Special.—Great waves of oratory swept over the attendants at the Wilcox trial today. Five lawyers have now made their pleas. The leading attorney on each side, Mr. Ward and Mr. Aydlett, will tomorrow come in the order laid out and then after a comprehensive charge by the judge the jury will retire to consider Wilcox's fate.

Another record-breaking crowd was present this morning when court convened. There were many ladies. The feature of the morning session was the masterful address for the prosecution of Mr. Hayward Sawyer. He reviewed the whole evidence carefully and by argument that was loud, logical and eloquent he pleaded that Wilcox was guilty of murder in the first degree, and he asked the jury to say so. He spoke two and three quarter hours.

When Judge Jones had arranged about ventilation, former Solicitor General resumed his speech of yesterday, saying the strongest thing against Wilcox was that he was last seen with Miss Crosey, but that was not enough. It was presumed that Wilcox wore a cloak of innocence which requires strong evidence to remove.

The speaker said everything pointed to suicide, that suicide had been discussed that very evening at the Crosey house and that no testimony given by the doctors disproved the suicide theory.

He said the prosecution had tried to prejudice the case by, if the jury would try Wilcox according to the evidence and free from passion there could be brought nothing but a verdict of acquittal.

Mr. Leary declared the prosecution was hard pressed, that Mr. Turner the previous speaker had told the jury the defense wanted them to turn Wilcox loose and to send Nell Crosey to a watery grave and to a suicide's hell. He spurned the statement, and said it should be beneath counsel to make such declarations.

He reviewed much of the evidence and began reciting celebrated cases where persons were convicted on circumstantial evidence, when that line of argument was objected to. By consent the doors were thrown open for both sides and the speaker continued his narrative. Mr. Leary spoke, all told, nearly two and a half hours.

Mr. Hayward Sawyer for the prosecution followed. He said he would not seek to convince an innocent man, but would the State of North Carolina which he represented in part, stain her fair escutcheon with the blood of a blameless citizen.

He said the State contended that murder had been done and that Jim Wilcox did it. The girls and womanhood of North Carolina must be protected. The prosecution would ask for a verdict of murder in the first degree.

Mr. Sawyer is a man of giant-like physique and strong, clear voice, which he used to good advantage.

Referring to the introduction of medical terms into the evidence he said indignantly: "Brother Aydlett wouldn't know exostosis or endostosis if he met them in the road, and if he met them together he couldn't tell them apart."

He reviewed the evidence, which he said proved conclusively Nell Crosey was not drowned.

He reasoned that the suicide theory was incompatible with her happy buoyant spirits. He said Nell was a timid and the rest of them had better be told if they have around such company as Jim Wilcox, or somebody would be fishing one of them out of Pasquotank river. After reviewing other evidence, Mr. Sawyer said:

"Now I have shown you that Nell was not drowned; I have shown you that she was killed by a blow. Now who killed her? Yonder is the man."

The speaker moved towards Wilcox and pointed a finger in his face. The prisoner's expression never changed.

"Now I shall proceed to show you the motive, show you the opportunity, show you he loved her no doubt, but the fact that was in him has put her out of the way."

Emphatically and forcefully the lawyer told of the love dream, the association of Nell and Jim, and followed their steps up to the fatal night.

"He was in love with her desperately, his love was growing colder and colder," he continued.

"Jim had made up his mind to con- sider or kill her. The devil in him was growing bigger and bigger."

After saying that Wilcox went to the Crosey home in the afternoon to talk over the situation he referred to the night visit and declared loudly, Wilcox never spoke but one word to the dear girl all that night and that he led her to her doom."

The lawyer claimed that Wilcox brought up the suicide conversation because his mind was "dandy things and he probably carried both points and a blackjack."

He arraigned Wilcox in these words of eloquence and scorn:

"I have never heard or read of such confidence. Here was a stricken family—the mother bowed down, the father disconsolate, the sisters heart-broken—

and yet Jim came to offer no word of sorrow, no act to help solve the mystery.

"He sits there now," the speaker said in thunderous tones, turning towards the defendant, "as cold as death and as relentless as the grave. That's the sort of men who carry weapons and make midnight assassins—men like Durran in California, who met death smilingly; like Cluverius in Richmond, the slayer of Lillian Madison; like the murderer of McKinley.

"Such men have got the stuff in them to commit hellish deeds and the same stuff sustains them to the grave. It comes from hell and to hell it goes back with them."

The lawyer made calculations and figured that there was twenty minutes unaccounted for. He said Cluverius was hanged when he had accounted for his time, all but six minutes.

"Mr. Leary would turn Wilcox loose, give him a chronicle, let him go and kill somebody else."

Here some one began applauding but the judge stopped it quickly.

They asked Mr. Crosey about the detective. If I had a daughter slain by a midnight assassin, I would give up every dollar for a detective to run him down and send his body to the grave, his soul to hell.

"I see before me men who have girls budding into womanhood, sweet wives and lovely sisters. I will tell you if the women of North Carolina cannot be protected we had best burn the law books, tear down the jails and court houses and dissolve the Legislature and then go back to barbarism."

The orator read several verses from different parts of the Bible and said: "In the name of God and the names of these wives, sisters, mothers and daughters, I ask you not to let the guilty escape. I ask you under your oaths to bring in a verdict that will put Jim Wilcox to death."

The speaker here painted a pathetic picture of sorrow in the Crosey home. The Misses Crosey began weeping. He turned to them and said with pathos:

"Weep on; we mingle our tears with yours; we echo your sighs."

The speaker also expressed sympathy

(Continued on 2nd page.)

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Friends of Appalachian Park Are Enthusiastic

Congressman Moody Thinks Ten Million Will Be Appropriated

By THOMAS J. PENCE

Washington, March 19.—Special.—The merits of the Appalachian Park bill were presented in an admirable manner today before the House Committee on Agriculture, and the friends of the measure, which means so much to North Carolina and the South, are enthusiastic tonight. Congressman Klutz and Moody, who appeared before the committee in behalf of the State with a large and enthusiastic delegation of representative citizens are highly elated over the result. Congressman Moody said tonight, "I believe we will get ten million for the Park, which will insure the control of four million acres of mountain territory."

No measure was ever more admirably presented to Congress. The advantages to be derived by the South and the nation from the establishment of this Park were strongly and clearly presented. Prof. J. A. Holmes, the State Geologist, led off in the presentation. Before him was a plaster Paris map in colors and indentures, showing in a striking way the timbered and clear sections of the mountain sections together with the streams and railroads. This map was attractively framed, being about eight feet in length and four feet in width. Others who addressed the committee were Congressman Brownlow of Tennessee, Prof. W. J. McGhee, the government ethnologist, Congressman Lattimer of South Carolina, Moody and Rhea of Virginia, Dr. C. P. Ambler of Asheville, George Pinchot, the government director of forestry, Chas. Seymour, a Knoxville, Tenn., lawyer. At the conclusion of the hearing which lasted nearly two hours the bill was referred to the sub-committee on Appropriations which consist of Chairman Wadsworth of New York, Henry of Connecticut, Connell of Pennsylvania, Williams of Mississippi, Allen of Kentucky, and Flynn of Oklahoma.

Mr. Scott of Arkansas suggested that the committee might not be ready and he did not think the sub-committee should be pushed. Mr. Scott disclaimed any such intention and remarked that he only desired that the committee report so soon as it reached a conclusion.

Congressman Moody said Chairman Wadsworth informed him before leaving Washington that he wanted the committee to proceed with the consideration of the bill with all dispatch. He stated moreover that Mr. Wadsworth desired it known that he favored the bill. Williams of Connecticut who presided at today's meeting of the committee and Allen of Kentucky stated that they were not prepared to say how they

REBELS DEFEAT IMPERIAL TROOPS

Cannot Suppress Rebellion with Present Forces

Hong Kong, March 19.—The rebels in the southern provinces continue to crushingly defeat the imperial troops sent to subdue them. General Ma and Marshal Su report that it is impossible to suppress the rebellion with the troops at their disposal and the Viceroy of Canton has requested Yuan Shi Kai, the Viceroy of Chili, to send reinforcements overland from Chili. The imperial troops have been defeated at Sek Shing in Kwang Tung province and at Popak in Kwang Si province.

In Yun Nan province the rebels hold the town and district of Foo Chan 20 miles northwest of the prefectural town of Yun Nan. They have also captured the town of Liu Chou in Kwang Si province and the town of Yuang Ning in Kwei Chou province.

NO POWER TO ENJOIN LABOR

Decision with Reference to Boycotts on Corporations

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Chief Justice Burgess and Judges Brace, Gault and Marshall concurred in the opinion and Judge Robinson dissented. Judge Valliant who heard the case originally when on the circuit bench took no part in hearing the appeal.

The opinion handed down by the Supreme Court today says:

"If the labor unions of the State are not permitted to tell the story of their wrongs, or their supposed wrongs, by word of mouth or with pen and print, and to endeavor to get other persons to aid them by all peaceable means in enforcing redress of such wrongs, what becomes of free speech?"

would vote on the bill. It is understood that Williams is very favorable to St. Williams of Mississippi, who has been disposed to oppose the measure, is now a strong advocate of its passage.

At the hearing the speakers urged the importance of appropriating ten millions instead of five million dollars for the purchase of the land.

This idea was strongly impressed on the committee. The protection of the farm lands and the water powers in the South Atlantic States by the preservation of the mountain forests was the theme of Professor Holmes' talk. He had perfect knowledge of his subject and answered a volley of questions fired by Graft of Illinois, Henry of Connecticut and others. He showed that the streams which have their sources in North Carolina, Virginia and Tennessee have wrought untold destruction in half dozen Southern States by reason of the removal of the mountain forests. He said from one-fifth to one-third of the corn government in Virginia, the Carolinas, Alabama, Tennessee and Mississippi are affected, which is approximately an area of fifty thousand square miles. The Catawba river had damaged farm lands a million and a half in the past twelve months. He showed that it was a national question by restating the fact that streams did most damage in States where they did not derive their origin. He pointed out the damage done to the water powers of the South that are rapidly being developed by manufacturing interests. The damage by floods in the last two years he estimated at twenty millions in the States mentioned.

Congressman Brownlow said the floods were the result of the devastation of the mountain forests. For fifteen years he had never known of floods and the bottom lands in his district were considered as good as government bonds. The advent of lumbermen from the west had wrought the change and now these bottom lands had been abandoned and are worthless. The loss in his district last year was five millions alone.

Professor McGhee gave a scientific explanation of the manner in which forest destruction creates rivulets and floods and washes away mountain territory.

"If," he declared in emphatic voice, "the destruction of the forest goes on for twenty years more, Brownlow will have no district."

"How about the Ninth district—my own?" asked Mr. Moody.

"Yours will be swept away likewise and the land will be worthless and uninhabitable. The present fertile hills will be rocks like they are in the west."

Professor McGhee pointed out that the purchase of the park would be profitable to the government. He said the ripe timber could be cut away so as to more than pay for the investment. He said that the Appalachian Mountain region was the gathering ground for more rivers than any mountains in this country. He declared that they were the best forested mountains on the globe.

The question of acquiring ownership

WIDE LATITUDE IN THE HOUSE

Members Discuss a Number of Propositions

Washington, March 19.—The general debate upon the River and Harbor bill was resumed this morning and Mr. Ransdell of Louisiana, a member of the committee, defended the appropriations for the lower Mississippi.

Several members took advantage of the latitude allowed in general debate to discuss other topics. Mr. Shook of Ohio spoke in opposition to ship subsidies. Mr. Lewis of Georgia favored tariff revision and Mr. Payson of Massachusetts advocated irrigation in the west. Mr. Small of North Carolina protested against the failure of the committee to provide properly for improvements in his State and Mr. Gaines of Tennessee explained the scheme for the improvement of the Cumberland River.

Mr. Burgess of Texas declared that the people of the country received more real substantial benefit from the money appropriated in the river and harbor bill than from that in any other bill acted upon by Congress.

Mr. Burton, in charge of the bill, in closing the general debate, answered the criticisms advanced against it.

After disposing of 27 of the 115 pages of the bill the committee rose and at 5.10 the House adjourned until tomorrow.

COMPLETE COAL AND RAILROAD DEAL

From Virginia Coal Fields to Southport, N. C.

Baltimore, March 19.—The underwriting syndicate for the coal and railroad deal of the Union Trust Company was today completed and the amount largely over-subscribed. This syndicate is for \$2,500,000. It secures large tracts of coal lands—upwards of 100,000 acres—in southwest Virginia, and will build the Virginia & Southwestern and Ohio River & Charleston Railroads.

These lines will form a short route from the coal fields of Wise county to Lincolnton, N. C. From the latter place they will run over the Seaboard Air Line to Southport, N. C., where large coal piers and docks will be built to handle the coal and other business.

It is likely that an extension northward to the Ohio river may also be built, but the present underwriting does not include such a line. President Blackstone of the Union Trust Company has been working on this deal for several months. New York, Philadelphia and Baltimore capitalists are interested.

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A Number of Rumors in Railroad Circles

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Another was that the Atlantic Coast Line of Connecticut would secure control of the Plant System, but this was regarded as impracticable under the strong anti-consolidation laws of Florida and Georgia. The probable distribution of surplus assets was another explanation but it is regarded as too early since the last dividend of this sort to expect another one.

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Philadelphians Found Chapel Hill Too Crowded

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J. Pierpont Morgan and party passed through Charlotte this morning en route north, returning from Jekyll Island, near Brunswick, Ga., where they have been hunting.

George Sadler, colored, of this county is in trouble as a result of having forged a document purporting to be a receipt from Clerk Russell here for \$7.50 for having chartered Number Six Aid Society, a concern which agrees to give numbers a decent burial. He was today committed to jail in default of fifty dollar bond in two cases—forgery and embezzlement.

Quiet and Effective Work of Senator Simmons

Congressman Small Makes a Telling Speech and Claimed Close Attention -- Pushing Judge Adams' Claims

BY THOMAS J. PENCE

Washington, March 19.—Special.—Senator Simmons has been doing some quiet and effective work in behalf of North Carolina rivers and harbors with individual members of the Senate Committee on Commerce. Senator Simmons is working zealously for the improvement of the inland water route and the upper Cape Fear. There is no hope for proper recognition of the State's interests in the House and whatever is done must come through the Senate. Senator Simmons recognizes this and he believed his efforts will be attended with results.

Congressman Small made a superb presentation of North Carolina's case before the House today. The picture that he painted of North Carolina's dangerous coast and the necessity for the inland water route was thrilling and nothing has been said in the House this session that commanded more universal attention. Chairman Burton was one of the closest listeners and every member of the body gave close attention. His recital of the many wrecks that have occurred off Cape Hatteras in the past ten years and the loss of life and property was dramatic. The facts were obtained from government statistics and picturesquely presented. They demonstrated clearly the need for the inland water route, and made a decided impression. Mr. Small will not offer an amendment in the House for the survey of this route, but will endeavor to get such an amendment attached to the measure in the Senate. In a very dignified manner, Congressman Small scored the House committee for its discrimination against North Carolina. The speech was the best that has been presented by any of the delegation this year.

Later in the day Chairman Burton attempted to reply to Congressmen Bellamy and Small. His point was that North Carolina had received more according to the steamship tonnage than some other Southern States. He made Wilmington an especial illustration. He failed to compare the amount of North Carolina's commerce with other Southern

States, for if he had it would have shown that the State has been disgracefully treated. Messrs. Small and Bellamy will offer amendments tomorrow when a vote will be reached.

Congressman Klutz left tonight as the guest of the South Carolina Congressmen for Charleston, where he will take in the Exposition. Congressman Pou was invited, but could not go. There are some half dozen Senators and Congressmen in the party and they will return Friday.

Senator Pritchard returned today from North Carolina and this afternoon he went to the White House in behalf of ex-Judge Adams. He saw the President and pushed Judge Adams' claims. Congressman Klutz and Pou will put in a good word for Judge Adams as a Republican.

Postmaster J. W. Mullen of Charlotte has not yet given up hope and will land in Washington tomorrow to see if he cannot overcome the opposition of the Post Office Department. Senator Pritchard is willing to hear him and will probably present him to the Postmaster General. Inasmuch as President Roosevelt sent a formal letter to the Senate withdrawing Mullen's nomination, it is not believed here he stands any show whatever for another term.

Congressman Claude Kitchin returned from Philadelphia today where he appeared for a North Carolina young man who was charged with kidnapping his own child. Samuel B. Gregory, a native of Halifax county, is the young man and he was honorably acquitted of the charge. Mr. Gregory came to Washington as ex-Congressman Fred Woodard's private secretary and he now holds a position in the agricultural department. After marrying here domestic troubles arose in his family and he separated from his wife. She went to Philadelphia with the only child, which is six years of age. Recently Mr. Gregory went to Philadelphia and secured possession of his son, taking him to Crowleys, N. C., where he now lives. The charge of kidnapping was preferred, but at the hearing yesterday it was dismissed. A previous suit for divorce instituted by Mrs. Gregory was decided in favor of the husband and the decision yesterday was a complete verdict for him.

Congressman Claude Kitchin secured a favorable report today on the bill authorizing the Kinross & Carolina Railroad to build a bridge across the Neuse river at Kinston. It will be reported to the House tomorrow.

Congressman Bellamy returned today from Raleigh. Among other arrivals are Rufus Hale and J. A. Nichols of Asheville, George M. Lindsay of Snow Hill and Prof. J. A. Holmes.

Senate Discusses Bill to Protect the President

Which Finally Goes Over Without Action -- Relief for Chicago Postmaster

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The Senate then resumed consideration of the bill for the protection of the President. Mr. Spooner of Wisconsin addressed the Senate in support of the measure, dealing especially with the legal and constitutional questions involved.

Replying to the argument of Mr. Bacon of Georgia, Mr. Spooner said it did not follow because under the act of Edward III. assassination of the King of England or attempted assassination of the King was treason that the assassination of the President of the United States was treason.

An assault upon the President, however, was a crime against the government and he did not think the government was disabled by the constitution from punishing it as a crime. By its very nature it was an insidious assault upon the sovereignty of the United States, whatever might be its motive.

He declared, "If Mr. Bacon's arguments were crystallized into law 'this would be to protect itself against obvious crimes, endangering our institutions and obstructing the operations of the government.'"

A legitimate conclusion from the Senator's argument, he said, would be that "this is the weakest government under the sky." It is not.

It was an evident right of the government of the United States to protect its own officials from assault or assassination while engaged in the discharge of their governmental duties. "If the function is a federal one," he declared, "if it involves the safety or the sovereignty of the government, there are no State lines."

He asserted that there was no time when the President of the United States was not engaged in the performance of his official duties. He could perform his duties and exercise his powers anywhere, day or night. An assault upon him therefore was an assault upon the government.

Mr. Spooner said he never would believe in any doctrine that was a denial of the right of Congress to define as a

Strike Considered Settled

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Robert Goins Dead

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