

## WITNESSES TESTIFY IN MURDER TRIAL AT WILSON

### Jones Did Not Know Who Killed Him—A State's Witness Arrested on a Charge of Perjury

Wilson, N. C., June 20.—Special.—The most sensational incident so far in the murder trial here came this afternoon when Judge Shaw recalled Luther Barnes, a state's witness who had just left the stand, and placed him under arrest for perjury. A bond of \$200, if made, was quickly given.

Mr. Barnes is proprietor of the Orient saloon. It was in evidence that Barnes had purchased a hat for Morgan, one of the defendants, the day after the killing of Jones, from Ed Peoples, a clerk, and that he told Peoples what kind of hat Morgan wanted, to have him name out in the sweat band, and then told Peoples to say nothing about it. The new hat was supposed to replace a hat lost on the night of the homicide and afterwards found. The request was to get a new hat just like the one lost.

Mr. Barnes denied in substance the foregoing. Mr. Peoples followed him on the stand and testified to practically the foregoing state of facts. Mr. Sprull, of counsel for the state, made a statement to the effect that Barnes admitted to him the day before that all that was sworn to by Mr. Peoples was true, and though reluctant in doing so, Mr. Sprull said he would testify to the same.

It was then that Judge Shaw had Barnes recalled and placed him under arrest.

Wilson, N. C., June 20.—Special.—The state began the introduction of evidence in the murder trial here this morning. The court room was packed almost to suffocation all day and unusual quiet was maintained considering the intense heat of the crowded building.

When court met Solicitor Daniels announced that the state would not ask for a verdict of murder in the first degree against the defendant G. D. Ward, but would try all the defendants on a charge of murder in the second degree. This was another decided surprise in the proceedings in this interesting case.

Mr. Uzzell, of counsel for the state, called the long list of witnesses for the prosecution. Solicitor Daniels arraigned the five defendants, Morgan, Allen, Ward, Rich and Whitley for murder in the second degree. The examination of witnesses began with James W. Taylor, surveyor of Wilson county, on the stand.

He testified that he is a surveyor, and exhibited a plat of the Fryar building and other buildings in that vicinity, and explained locations and distances.

He was in a rear room of the Fryar building, upstairs, that T. Percy Jones was killed, and that he saw Jones being carried to the hospital.

As Mr. Taylor began his testimony Mr. Sprull said to the court that he hoped remarks of counsel, made in the hearing of the jury, would not be permitted, that all the attorneys were in hearing, and it was not right for remarks not directed to the court to be made about the case so that the jury could hear them.

Judge Shaw said he knew of no such thing being done, but if it was attempted it would not be allowed.

Mr. S. A. Woodard said he hoped his brother Sprull would allow counsel for the defense to confer among themselves.

"Yes, sir," answered the judge. "The court will do that. Let counsel understand that the court is running this trial."

whether Jones had given up hope. When Dr. Anderson told him it was very doubtful about his getting well the wounded man made some such declaration as "My God, I hate to die." I asked him, said Dr. Anderson, if he would make a statement as to how it occurred and he said he didn't know anything except a crowd of men broke into his room and he was shot. Said he didn't know who shot him. The men broke into the room. Jones pointed to the hole in the ceiling where the shot fired by him entered.

On the point of the competency of Jones' statement Mr. Pou argued that it was incompetent because the evidence showed that he (Jones) was all the time clinging to a hope that he would recover and begging the doctors to do something for him.

Solicitor Daniels said he did not so understand the testimony. That Dr. Anderson told him it was very doubtful about his living. After Jones exclaimed, "My God, I hate to die," Dr. Anderson told him if he had any statement to make not to put off but to make it at once.

The court held with the view taken by the state and defendants excepted. The jury was brought into the box and Dr. Anderson repeated the statement made to the court as to Jones' declaration on being told that the only thing that could be done for him was to stimulate him.

Dr. Anderson said he had another patient that night at the Sanitarium, John Allen, one of the defendants. Couldn't recall all who were there with Allen. Another one of the defendants, Mr. Rich, was there with others. Allen was very bloody from a wound through his left shoulder. The ball entered near the left collar bone in front and went through the fleshy part of his shoulder. I didn't probe for the ball or stop to dress the wound at that time. The ball ranged downward and backward. Don't think Allen made any statement about how he was shot.

Dr. Anderson testified to the good character of two witnesses, one of the nurses at the Sanitarium and Mr. R. D. Alley, a carpenter, who are to be introduced for the state.

Mr. Pou cross-examined Dr. Anderson, in which nothing new was brought out.

S. R. Chapman was the next witness. Said he was near Keel's marble yard the afternoon before the night of the killing. He saw defendant Whitley there and with him was a printer and a man named Leonard who clerks in a bar. He couldn't tell who else was there. Whitley told him he had been in some trouble and that he was going to be put under a peace bond. Whitley said he had some trouble with Jones and he had threatened to horse whip him.

Whitley said he didn't care what he did or for the law or for anybody, and that he would whip Jones before 12 o'clock that night. That was about 3 or 4 in the afternoon before the murder.

Cross-examined by Mr. Finch, Mr. Chapman said Whitley was drinking at the time he made threats against Jones.

Thomas E. Keel testified that he is a justice of the peace and that he had issued a peace warrant for Whitley. Was asked to produce his docket and defendants objected on the ground that a memorandum in a magistrate's docket is irrelevant and not competent except as to Whitley, and is immaterial. It was shown that the entry was not in Mr. Keel's own handwriting. The question was as to whether the entry was a correct transcript of the judgment by him entered was also objected to.

The state offered the original papers in the peace warrant proceedings, and the same objection was made except as to handwriting.

The court admitted the original papers for the purpose of showing that peace bond proceedings were instituted the day before the homicide.

Judge Shaw ordered the jury taken out again. He stated that he could see how the defendants' case would be prejudiced by statements tending to show what was said by others in their absence. The jury was ordered back to the box.

Ell Felton, constable of Wilson township, said the defendant Whitley was arrested by him the afternoon preceding the killing. Had Whitley in his buggy with him. They passed Jones, who was standing with another man named Moore. Whitley called out: "Haul it away from here."

Cross-examined Mr. Felton said Whitley was right smart and drinking. E. L. Moore was the next witness. Had known Whitley ten years. Said Whitley told him he had been appointed by a committee to wait on Mr. Jones and tell him to leave town. Said he was going to see the police and see if they would interfere in case he made any attempt to move Jones out of town. He came back and said he had seen the police and they said they would turn their backs. This was early in the morning before the night Jones was killed.

Whitley asked me if I would like to take supper with him and take part in it. I don't know what he meant by it. I told him I wasn't hungry. I saw Jones in his room the next morning. He was lying on his bed. I asked him what was the matter and he said he was shot and that he was dying. He died about three-quarters of an hour afterwards. He was conscious when I was there, and knew me all right. I asked him where he was shot and he said right here (indicating). I asked are you seriously hurt and he said yes, I am and I'm dying. Said he didn't know who shot him, but there was a crowd of men there, but who it was he didn't know.

Mr. Moore said he knew the defendant G. D. Ward, was at one time in business with him. The solicitor exhibited a hat and asked if he recognized it as Ward's. "I do not," said the witness.

Mr. Mewborn cross-examined Moore, who said that the morning before the killing when he saw Whitley that he (Whitley) was drunk.

Ephraim Harrell, an officer, was called next. Said he saw Whitley the (Continued on 2nd page)

### SIX THOUSAND MOORS SLAIN

Forces of the Sultan of Morocco Defeated With Heavy Loss

London, June 20.—A dispatch from Tangier, Morocco, today reports a battle between Moorish troops and tribesmen at Ammedianna. The Moorish general and 8,000 men are reported to have been killed.

The civil war in Morocco has been going on for a year with varying success. At one time Bu-Hamara, the Moorish pretender, who is heading the revolting tribesmen, was at the gates of Fez, the sultan's capital.

About six weeks ago, a dispatch stated that El Menebbi had started on an expedition to give battle to and crush the revolters. Since then his progress has been attended by very conflicting reports, but he was believed to be making headway. This crushing defeat, if true as reported, will deal a staggering blow at the sultan's power. It is probably, however, exaggerated.

### Easy for Reliance

New York, June 20.—The race today of the 90 footers resulted in a comparatively easy victory for the Reliance. She crossed the line first and was in front all around the course. She beat the Constitution 4 minutes 17 seconds and the Columbia 7 minutes 31 seconds. The course was triangular. The wind was light, varying in strength from 6 to 10 miles an hour. At times it was rather fluky, but one yacht was not favored more than another.

### Auto Records Smashed

Indianapolis, June 20.—The world's records for automobile driving on circular tracks were sent flying in the automobile races held at the state fair ground today, when Barney Oldfield and Tom Cooper, the noted drivers, met for their great contest.

## SERVIAN INDIGNATION

### A Way Suggested to Satisfy European Demands

Belgrade, June 20.—M. Kallievitch, the minister of foreign affairs, has issued a statement which may be regarded as the official explanation of the views of the government in regard to recent events. In reference to the recall of Sir George Bonham, the British minister, he expresses deep indignation at the intention of Great Britain, indicated by this fact, to hold the present Servian government responsible for the murders.

Unless King Peter is prepared to altogether ignore the foreign demands for the punishment of the assassins of King Alexander and Queen Draga, his only means of satisfying any requirements appears to be to persuade the criminals to abscond themselves until quiet is restored, when they will be permitted to resume their places in the army.

The provisional government holds office solely at the will of the army, and should King Peter promise to punish the officers implicated it is as likely as not that the army will force the withdrawal of the invitation to occupy the throne.

It is suggested in official circles that Russia may possibly advise the officers concerned to so absent themselves.

## RUSSIA DENOUNCED

### A London Mass Meeting Adopts Strong Resolutions

London, June 20.—A mass meeting attended by about 4,000 people, mostly Jews, was held in Whitechapel tonight to protest against the Kishineff massacre. A resolution was adopted declaring that the responsibility for the affair rests on the Russian government, which supports anti-Semitic by the enactment of anti-Jewish laws and subsidizes a press which instigates an outbreak of the growing discontent of the non-Jewish masses into false channels and frighten the Jewish working classes away from a revolutionary struggle.

## NO LAUNCHING MONDAY

### Complications in Respect to the Cruiser Galveston

Richmond, Va., June 20.—The cruiser Galveston, concerning which there is a dispute between the federal authorities and state courts, will not be launched Monday. No work was done on her today and it will be impossible to get her ready in time.

It is understood that the United States will give a bond indemnifying the creditors of the Trig Shipbuilding Company which is now in the hands of a receiver, and Judge Grinnan, of the chancery court, will then rescind his order restraining the United States from launching the vessel.

## MOONSHINING

### Revenue Officials Will Take Measures to Prevent It

Asheville, N. C., June 20.—Special.—Many of those concerned in the service have predicted of late that small distilleries would take to the woods to make their whiskey when the Watts bill becomes effective. Tonight it was stated in revenue circles that a large force of officers would be stationed throughout this mountain country in anticipation of such a move on the part of distillers. Revenue officials are determined that moonshiners shall not regain the ground they lost years ago. These special men will be sent out the first of next month.

During the session of Y. M. C. A. summer conference this afternoon the matter of erecting the proposed Association building at the State University was discussed. C. A. Russell, Z. V. Judd, and R. M. Harper announced that they would begin the work of soliciting funds for this purpose in Asheville Monday and later would visit other cities of the state.

### Recognition Withheld

Washington, June 20.—Until the new Servian monarchy has been firmly and formally established, the United States government will adopt no measure toward entering into diplomatic relations with it. John B. Jackson, who was appointed United States minister to Greece, Roumania and Servia, is now at Belgrade, but the credentials which he bears are null and void, as they accredit him to the late King Alexander. To secure recognition of the existence of diplomatic relations between the two governments it would be necessary for him to present new letters of credentials to King Peter Karageorgevitch.

## DEADLY COMBINATION

### Lightning Strikes Dynamite Resulting in Many Fatalities

Cambridge, Ohio, June 20.—At 2 o'clock this evening lightning struck 2,000 pounds of dynamite stored at the Somers coal shaft at Senecaville, 16 miles south of here. Hiram Wilson, Sam Harrop, Russe Harrop, Hayes Hutchison, Albert Watson and Whit Mahony were fatally injured and a large number seriously hurt. Four of the injured have died since the accident. The shaft is half a mile south of the village. The force of the explosion was northward and the village was almost demolished. Every window in every house was broken and the Odd Fellows Hall and the Keller building are badly wrecked.

Later reports say that nine men are dead and that if others are fatally injured. The people of the village are walking the streets in wild confusion and some have gone insane. Physicians from all near by towns are being rushed to the scene.

## STANDING IN COURT

### The Western Union in Fighting Attitude

Baltimore, June 20.—The United States supreme court has now taken a hand in the contest between the Pennsylvania Railroad Company and Western Union. A local reflection of this contest is the case now pending before Judge Morris, of the United States circuit court, in which the Western Union, through its counsel, Attorney General Rayner, has asked for an order enjoining the Philadelphia, Baltimore and Washington Railway from interfering with its telegraph lines along the railroad.

The United States supreme court has, however, granted an injunction restraining the Pennsylvania Railroad from interfering with any of the lines of the telegraph company.

## NOT SLAVERY

### People of Alabama Have No Sympathy With Peonage Practice

New Orleans, June 20.—The Alabama Commercial and Judicial Association, in session at Mobile, has adopted the following resolution apropos of the Alabama peonage cases: "Resolved, that while this association strongly supports the enforcement of law and very greatly deprecates the violation of the law, referring to the cases of the indictments of some twenty persons, citizens of two counties of Alabama, we repudiate the charge that the whole body of our citizenship is involved in these lawless practices, and we very much regret that politicians and partisans have seen it to their interest to stir up discord by making it appear that the southern people are seeking to return the negroes to a state of slavery. We declare that there is no truth in the accusation, and that the people of the south have no purpose of this sort and do not sympathize with any who for gain may have overstepped the law which guarantees the freedom of the citizen whether white or black."

## DENTISTS ADJOURN

### Dr. Fleming of Raleigh Elected President of the Society

Winston-Salem, N. C., June 20.—Special.—The North Carolina Dental Society adjourned its annual meeting at 1 o'clock today. It was decided to hold the next annual session at Morehead City. The exact date will be decided later by the executive board. The officers elected are as follows: President, J. M. Fleming, Raleigh; first vice president, J. A. Gorman, Asheville; second vice president, J. B. Little, Newton; secretary, J. S. Betts, Greensboro; treasurer, R. H. Morrow, Burlington. The old examining board was re-elected. The members are Dr. V. E. Turner, president, Raleigh; Dr. R. H. Jones, secretary, Winston; Dr. S. P. Hilliard, Rocky Mount; Dr. J. E. Matthews, Wilmington; Dr. C. A. Bland, Charlotte; Dr. E. J. Tucker, Roxboro.

Several papers were read and discussed at the closing session. The report of the board on the papers filed by the thirty-one applicants for license to practice dentistry will be made in a week or two through the secretary, Dr. R. H. Jones of this city. Dr. Jones tells me that the work and papers of the young applicants was far above the average.

## Last Link in Cable

San Francisco, June 20.—Within a week the last link of the Commercial Pacific cable will be laid between San Francisco and Manila, and the United States will have direct communication with the Philippines.

## Pulliam's Appeal to the President

### Revenue Officers to Lose their Heads — Mr. Roosevelt Gives an Exhibition of Smallness—Contest Evidence Printed

Washington, June 20.—Special.—This afternoon Judge James E. Boyd had a conference with the president by appointment and recommended the pardon of Lawrence Pulliam, formerly cashier of the National Bank of Asheville, who was sentenced to five years' imprisonment on the charge of defaulting. The application of Mr. Pulliam for executive clemency is very strongly supported, all of the jurymen who sat in the case having endorsed it.

In 1893, because of ill health, it is stated, he took funds from the bank and disappeared to have an operation performed and to seek the restoration of his health. For more than five years he was absent and the bank was not acquainted with his whereabouts. He lived in California and elsewhere, but his health did not improve to any extent, and several years ago he returned to his home state and surrendered himself. At the present time his health is shattered. Judge Boyd, who is familiar with the facts, having presided at the trial, has urged Mr. Roosevelt to grant the application for pardon. All the papers in the case are with the attorney general, who will present them shortly to the president with a recommendation.

The annual allowances for the offices of the two collectors of internal revenue in North Carolina were made today, and as the result of decrease in the clerical forces, much commotion is likely to result in revenue circles in Tar Heeldom. Collector Harkins of the western district loses one deputy with a salary of \$1,500, two more deputies who draw \$1,400 each, and another whose compensation is \$1,000. In addition another deputy in Harkins' office is reduced from \$1,200 to \$1,000 salary.

Collector Duncan of the eastern district is little less fortunate and likewise suffers a reduction in his official force. He arrived in Washington before the allowances were finally made and partially recouped. It was first decided by Commissioner Yerkes to abolish two of the office force and three of the division deputies in the eastern district. After a conference between the commissioner and Collector Duncan it was decided to cut off only one clerk in the office and to make provision for an additional clerk at a salary of \$1,200 under the revenue agent at Greensboro. S. A. Hodgin, whose office as clerk in Raleigh is abolished, will receive the Greensboro appointment. Collector Duncan has not yet

decided which three division deputies he will fire. There are eleven in his district.

Collector Harkins recommended the abolition of the office of stamp deputy at Statesville, but Commissioner Yerkes today decided against this course and reduced the salary of the office from \$1,200 to \$1,000.

The total allowance for the fiscal year beginning July 1st in the eastern district is \$42,850, and in the western district \$47,570. Collector Duncan had a talk with Mr. Yerkes regarding the Watts law and its operation. Speaking of this subject, he said: "While there are nominally 150 storekeepers and gaugers in North Carolina, I do not think there have been over 250 at work during the last two years. Reports received by me from division deputies in the eastern district indicate that by October first there will be within 25 per cent as many stills in operation in the district as there were last year, and they will have a capacity to produce more whiskey. I think the effect of the Watts law will be quite a disappointment to heavy whiskey dealers in other states, as I am sure they anticipated more benefits from the law than the moral forces did. The London bill was the ideal of that element. The result will be that the Watts law will be a disappointment to both."

Collector Duncan will return home tomorrow afternoon.

President Roosevelt has recently surprised his friends by an exhibition of a trait of character—smallness—which it was not known he had developed to such an extent. The other day one of the reporters of a local paper, regularly assigned "to do" the White House, reported a story to the effect that Senator Scott of West Virginia had snubbed the president. It seems that Scott had an engagement with the chief executive and was kept waiting longer than he had expected. Shortly after leaving the White House the president noticed Scott's absence and sent his messenger after him. Scott replied that he was too busy to return at that time. The reporter told the story just as it occurred. The next day the president demanded the removal of the reporter, and being persona non grata at the White House, he was transferred to another field. Presumably the president would have been "delighted" had the reporter written up a fake account of a cordial meeting between him and the West Virginia senator. This is a fine example for one to set who goes moralizing over the country, claiming a monopoly of honesty and patriotism.

The depositions in the Moody-Gudger contested election case have been printed. They only fill the modest space of 331 pages, exclusive of the index. The clerk stated today that all the evidence was printed with the exception of newspaper clippings and documentary evidence. These will go before the commission the same as if they had been printed.

Hugh M. Howard of North Carolina has passed the examination for appointment as second lieutenant in the marine corps.

## Will Hanna Be Chairman in the Next Campaign?

### That Is a Question Involved in Doubt—Beveridge and Taft Discussed as Candidates for Vice-President

Washington, June 20.—Gossip about the probable resignation of Perry S. Heath as secretary of the Republican national committee, in view of the disclosures of wrong doing during his administration as first assistant postmaster general under the McKinley administration, naturally brings up the question whether Senator Hanna will continue to act as chairman in the campaign of 1904. It can be stated on authority that this matter has not been determined upon or formally discussed recently. It being certain that President Roosevelt will be the Republican candidate for president, his wishes as to the selection of a chairman of the committee, of course, will have great weight.

It has been generally supposed that when the president was Senator Hanna's guest during the wedding festivities of his daughter this subject was talked over and some understanding arrived at. It is a fact, however, that the question was not discussed between the president and the senator at that time. Some months ago Mr. Roosevelt did talk to Mr. Hanna about the chairmanship and expressed a desire to have him continue his services. But the senator stated with some emphasis that, owing to the state of his health, he did not think he ought to serve through another campaign. This conversation took place before the recent flurry over the endorsement of Roosevelt by the Ohio Republican convention. There is some reason to believe that the misunderstanding and ill feeling engendered by that incident has

had its effect upon the program to put the campaign in 1904 in Mr. Hanna's charge. No agreement has been reached, however, and it is understood that the subject will not be formally brought up and discussed again until the fall.

The statements made by public men who have talked with President Roosevelt since he returned from his western trip confirm the popular belief that he is inclined to regard Senator Beveridge of Indiana as the most available man, all things considered, for the vice presidential nomination. This statement is made with the knowledge that President Roosevelt has a warmer regard for Governor Wm. H. Taft of the Philippines than for almost any other man in public life, and that he would under some circumstances prefer to have him for a running mate next year. It may be, too, that circumstances will so change during the next six or eight months that Judge Taft will be substituted in the president's mind as the best man for the second place on the Republican ticket.

At present Judge Taft's mission is in the east, and so far as can be learned, he proposes to stay there. The president has the highest regard for Governor Taft, not only as a friend, but as an intelligent, loyal public servant, and if he does not come home to accept the vice presidential nomination, he will sooner or later become a member of the United States supreme court. Recently the rumor has been revived that Chief Justice Fuller would retire at the opening of the October term, he having been eligible for retirement since January last, and that Judge Taft would be appointed to succeed him. There is no foundation for this story and it is not founded that Chief Justice Fuller has any intention of retiring in the immediate future. Moreover, if he should retire now, Judge Taft would not be appointed to succeed him, as the president could not consistently give two vacancies on the bench to Ohio, and Judge Day of Kentucky was appointed only a few months ago.