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TWO CENTS

SIXTH DAY OF GRUBB TRIAL

Evidence Not Closed—Some Surprises Sprang—Witness From Reidsville Here—The State Attempts to Break Down Evidence of Sheriff Dorsett—No Other New Developments—Case Will Go to Jury Tomorrow—Interest Unabated

Considerable speculation as to whether a mistrial might not occur has been occasioned by the illness of one of the jurors in the Grubb case. Junius Furr was taken ill last night and Dr. Council's attendance became necessary and once this morning the proceedings were interrupted by the jurors' having another chill. It is believed, however, that he will be able to attend to his duties and that another trial will not be necessary.

It is expected that the testimony which was practically in at noon, will be finished before adjournment tonight. The argument bids fair to last two days and it is unlikely that the case will get to the jury before Saturday at the earliest.

When the Sun went to press yesterday evening, Grubb was on the stand and being cross examined by Mr. Justice. His testimony in continuance follows:

TUESDAY AFTERNOON

Asked if he had heard Davis were not on the line between the school house and the church, witness said he thought so but could not be positive. The hypothesis of Hartley's horse being hit was dragged in and confused the auditors but failed to confuse Grubb who kept his head admirably. He indicated on the blue print map the relative positions, as he remembered them. Was about 6 feet from Davis at the first shot. Grubb showed about how Davis turned after the first shot and was asked how the bullet could have come on through the front of Davis' vest and replied he did not know how far he turned himself. Could not tell how Davis got to the rear of the buggy because he never knew for sure that Davis did get there when he fell. Witness' memory was not very clear. Swore that he never shot Davis in the back while he was running. Witness swore positively that he did not call the names of Lester Davis and Henry Charles, nor did he say "I want two more shots and I'll be satisfied."

Witness denied any trouble with men named Rowe and Riddle but admitted knocking Frank Snider off a porch as the result of trouble over some ditches. Snider insulted Grubb two or three times, Grubb struck him and they fought it out. Snider afterwards apologized.

Mr. Justice suddenly reverted to the allegation that Grubb had called for Lester Davis and Henry Charles, and quoted testimony from the Greensboro records but again Grubb's wonderful coolness was in evidence. Involved questions were parried with marvelous skill till their import was fully understood and all attempts to confuse Grubb and tangle up his testimony failed again.

Mr. Grubb's passed was again called up and the defendant narrated how he came to shoot Charles Darr. Grubb was in a buggy when the Greene's shot at Obe Davis and at the trial next day, Will Greene and Grubb quarrelled and then Darr pulled a pistol on Grubb who shot Darr in the

leg with a shot gun. Mr. Justice asked why Obe Davis must be dragged into the story, if Grubb didn't do it just to bring discredit on he dead man, and defendant replied he could not tell how it happened without telling all. Grubb also told, on request, about his shooting Bullabough to scare him off and Bullabough was jailed while Grubb was acquitted.

Witness also narrated his affray with Jim Greene in Salisbury. Lester Davis told Grubb, Greene was lying about him, so he struck him with a cane. He shot Nelson Clodfelter accidentally with a Flobert rifle but the trigger did not even have to quit work. He slapped Thomas Perryman and knocked him down for making vulgar remarks and using profanity in the presence of Grubb's children. Admitted striking Jacob H. Feazar for calling him a liar. Witness denied having a fuss with Thomas Ratts, an old man, or splitting Will Krider's head open 20 years ago with an axe handle. Did strike Krider over the head but they were both boys.

Mr. Justice asked if Grubb had not had several buildings on which there was insurance, burned. Defendant said his house was burned once but the loss was \$2,000 and insurance only \$700. Denied having shot Will Greene, or having any trouble at all with Jim Wilson. He, Obe Davis, and another man were indicted and fined \$75 as the result of Obe's shooting the other man who cursed Davis, the two latter being rivals in love. Never had any trouble with a negro named Allen Slick. Admitted, being in court three times for fights, and twice in Federal court. The first time was for having blockaded whiskey in his possession, the second time for misapplying stamp and was fined \$100. He admitted that about 10 or 11 years ago he made more liquor than the government requires and paid no taxes on it. This was his own admission and was not forced by requesting beyond being asked if he had ever cheated the government.

Grubb said he had whiskey in Lexington jail and gave it to his friends, just as he did at home. Had never been further out of jail than the kitchen. Said he was fined \$10 once for making a coarse remark to old man Wilson but never struck him. Slapped a woman named Eager near Spencer who struck him first over the head with a knife. Admitted beating Lem Anderson, "a ferocious negro," in his employ with a meal paddle for refusing to leave the distillery. Anderson had a pistol in his pocket. Ran for Sheriff and was glad he was beaten because "so many suckers" tried to bleed him. Denied he had men working in Davidson County to fix a jury, or knowing of it being done. Evin's distillery run in defiance of the Watts law, did not belong to Grubb, Evin being a strawman, but the sale was bona fide. Grubb paid Evin's fine by check because Evin had not the money with him. The money was later refunded to Grubb. With this the prosecution

ended the cross examination. Grubb had been on the stand two solid hours when he was stood aside, besides 35 minutes in the morning. There was a pause of a few minutes, during which counsel for the defense decided to introduce Bob Roseman's deposition and then rest the case. Roseman's deposition was objected to by Mr. Clement. The Solicitor was notified prior to the trial that the deposition would be taken on May 8, during this term of court. Mr. Justice read Judge Pearson's opinion in the case of Taylor against Gooch, 50 N. C., throwing out a deposition similarly made. Mr. Raper claimed that the decision does not apply and Mr. Clement argued that a deposition cannot be taken during the term of court. In reply, ex-Congressman Klutz argued that the decision was based on a statute in the revised Code of 1855 repealed in 1893, and that, all circumstances considered, fairness to the defendant, requires that the State should not hide behind a technicality, especially as he State has counsel enough to permit the solicitor to be represented by deputy to cross examine Roseman. Solicitor Hammer argued that the court has no discretion. The defense filed affidavit concerning when the notes was filed, Roseman removed, etc., and Judge Bryan took the matter under advisement. At 5:50 Court adjourned.

Col. John R. Webster, of Reidsville, a prominent newspaper man, was in court when the Grubb case was called this morning, and it was assumed that he was here to testify for the State in re. Sheriff Dorsett's whereabouts on October 15. Also the dead body of a negro man was in the jury room, presumably a dummy to show something about the course of the bullet that killed Davis, and there was the liveliest anticipation that there would be something doing.

Judge Bryan announced that in view of the circumstances, he would admit Bob Roseman's deposition, which was read by Senator Wright. The salient point was that Davis told defendant several times that he would kill Grubb, especially the Friday before the killing when Davis said "I am either going to kill him tonight or be killed."

W. D. Simerson, of Lexington, justice of the peace, was sworn. On his way to Piney church before the killing, he saw "Chuck" Williams and Cleve Leonard about 125 feet from the church and going away from it. Saw Grubb shoot twice but did not see Davis till he was about to fall. Davis was leaning backward and was turned sideways. Witness turned Davis over and pistol fell part out of his pocket. Witness went to arrest Grubb and wanted to take his pistol but Grubb said not to take it, here were two men hired to kill him. Grubb said "I have killed the damned rascal but I had to to save my life." He asked where were Lester Davis and Henry Charles, but said nothing about wanting to kill them. Grubb's horse was hitched to the black jack. Grubb and Davis were so near that Hartley's horse was in range and was struck by the bullet which struck Davis in the face. The horse's head was turned toward the academy.

Cross examined by Mr. Justice, nothing new developed. The prosecution seemed to want to ask some pointed questions yet to be a little afraid of the witness. Eugene Walsler, brother to Oscar Walsler, went on the stand to corroborate Oscar's testimony that Davis had tried to hire him to kill Grubb. Witness said Davis came to their house the night in question and talked with Oscar, but that was all he

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GOV. GLENN IN NEW BERN

Appeals in Three Murder Cases Settled in Supreme Court Yesterday

Raleigh, N. C., May 17.—Yesterday afternoon Howard Rogers, a white boy, became involved in a row with a negro about his age. The negro applied a vile epithet to him, and Rogers seized a baseball bat and struck the negro over the head, inflicting a wound that was not at first thought serious, however, late last night there was serious developments and the white boy was placed in the city jail, the opinion of the physicians at the hospital being that the negro could not live. His death is expected at any time. The white boy, Rogers, is the son of a respected blacksmith on Wilmington street.

Appeals in three murder cases were settled yesterday in the Supreme Court, the convictions and sentences in two, State vs. Will Adams from Wake and State vs. Garland from McDowell, being affirmed and a new trial allowed in the case of E. F. Blevins from Mitchell county. The ruling in the Adams case means that Adams must hang for the murder of Mary Bridgers and two children, near Raleigh, two years ago. And Garland from McDowell, must serve a seven years' sentence for killing Iva Collicutt, colored, because the negro refused to put some wood in the stove in the depot at Marion, in December, 1904. Blevins was convicted of manslaughter, for the killing of J. J. Buchanan, as he claimed in self defense. The new trial is because the judge refused to present the self defense feature of the case in the light that defense asked that it should be in his charge.

Governor Glenn, the State officials, and the general staff left this morning for New Bern to attend the ceremonies in connection with the unveiling of the monument to the 9th New Jersey Volunteers. The Raleigh Light Infantry, under the command of Capt. W. F. Moody, also went along as a special escort for the Governor. The Governor and State officials of New Jersey will also attend.

The opinions by the Supreme Court yesterday were as follows: State vs. Dunn, embezzlement, new trial. St. James Parish vs. Bagley, no error. Marks vs. Cotton Mills, new trial. Covington vs. Furniture company, no error. Jones vs. Water Company, from Durham, no error. Pressley vs. Yarn Mills, affirmed. State vs. Garland, no error. Rayburn vs. Casualty Company, new trial. State vs. Blevins, new trial. Edney vs. Railway, per curiam, affirmed. State vs. Edmundson, per curiam, no error. State vs. Shade, per curiam, no error. Bridges vs. Railway Company, per curiam, affirmed. Norton vs. Railway Company, per curiam, affirmed.

GOV. GLENN AND STATE OFFICERS GO TO NEW BERN

Raleigh, N. C., May 17.—Governor Glenn, State officers, members personal and general staff and Raleigh Light Infantry as special escort left this morning for New Bern to participate in the unveiling of the monument by the New Jersey to the Ninth New Jersey Volunteers. Along with party went Mrs. Mary Winfield Joyner, who made flag for "Beaufort Plow Boys" in 1861, which was captured by 9th New Jersey regiment and will be returned to survivors of "Plow Boy Company."

THE LAST VETERAN OF THE WAR OF 1812 PASSES AWAY

New York, May 17.—With all respects due the last veterans of the war of 1812. The remains of Hiram Cronk reached here to-day and will lie in state in governor's room in the city hall for 20 hours, when he will be escorted to Cypress Hill Cemetery. The body will be escorted from Grand Central station to the city hall by regulars of the U. S. Army as well as several military and civic organizations from other sections of the Union.

A CORRECTION

A mistake was made yesterday by the Sun in the evidence of J. S. Free, in regard to the amount of a note held against him by Obe Davis. The note was only \$25.00 instead of \$1,000.

Quite a crowd of Salisburyans are attending the closing exercises of the Crescent school to-day. The school has arranged a most interesting program, which will be carried out in a most excellent manner. The exercises will continue through tonight and a number of people from here are going down.

A SCRAPPY TIME

Danville and Greensboro Have a Warm Time at Danville. Game Forfeited in Sixth

Special to the Sun. The Greensboro-Danville game was called in the latter part of the sixth inning by Umpire Smith on account of interference on account of players. Game was declared forfeited to Danville, 9 to 0. The score when the game was called was 3 to 2 in favor of Danville with the locals still at the bat. The game was close and exciting, but rather ruffian. The umpire allowed players from both teams to come on the field and argue with him. He was pushed and cuffed about considerably and at one time it looked as if the game might end in a row. At one stage of the game, when attempting to put a new ball in play, the ball was slapped out of his hand by one of the Greensboro players. Discussions on both sides were rather unsatisfactory. The attendance was 500. Weather very threatening.

BALTIC FLEET SAILS

Squadron of Fifty Vessels—Other Details Given—Stoamer Beached on Island

Cronstadt, Russia, May 17.—Vice-Admiral Birileff, commander in-chief of the Russian fleets, in Baltic ports, has issued an order to the commanders vessels, which will comprise fourth Baltic squadron, to be ready to sail for the far east, June 14th. Paris, May 17.—Reuter telegram company has dispatch from London which report three hundred Germans landed at Haichua, China, May 12th despite denials been made. Tokio, May 17.—The steamer Shuyemaru while on its way to New Chwang struck mine near Miao islands in the Gulf of Pehili on May the 14th. The vessel was beached on Elliott island.

THE BIG RACE IS ON

Heavy Fog Shuts Out View Spectators—Corona Fast in Mud

Highlands, N. J., May 17.—From the prospects at 8 o'clock the Kaiser cup race will be started at noon today. The sky is cloudy; fog only hanging on the horizon. The sea is fairly smooth with 8 knots breeze from the east.

NEW YORK MAY 17.—STEAMSHIP CAROLINA WHICH GROUNDED INSIDE SANDY HOOK

Which grounded inside Sandy Hook during the fog which prevailed yesterday is still fast this morning. It is expected to be gotten off next high tide. At 6:10 tonight the Corona was not thought to be in any danger as the bottom where she stuck is soft sand. She carried a large and distinguished passenger list. At noon time, schedule for the start of Kaiser's cup race, a heavy fog set in from southeast, shutting out the view of the racers. While it cannot be definitely stated at present whether they got off, it is generally believed the race is now on. It will be several minutes before the newspaper and the tugs are at the scene. At 12 o'clock there was an 8 knot breeze coming from the South.

New York, May 17.—Diminutive Fleurdelys, in a collision yesterday with a mud scow was ready this morning to start in the race. It was at Erie basin last that the damage was sustained. As the racers passed the Corona, which is fastground, they were loudly cheered by the passengers who lined the steamer's deck. An excursion fleet off Hook at 10 o'clock and followed the racers out to a light ship. Disappointment at yesterday's postponement, and the cold, bleak air did not seem to cool the enthusiasm of the spectators on the excursion crafts.

ADMIRAL SEES BALTIC FLEET

Hong Kong, May 17.—Admiral Rostevensky's fleet left Hon-Kohe bay, Hon-Kohe, on Annon coast on Sunday morning and saw the Baltic fleet numbering fifty vessels leaving the bay. Capt. Wong Ho gives exact details of the positions of different vessels in the fleet and says the flagship dipped her flag in the salute to Woughol.

MOUNT ULLA ITEMS

Mr. Ulla, N. C.—Our community sustained considerable damage from last week's storm, which almost reached the dimensions of a cyclone southeast of here. The large trees were blown across the public road. Where the storm went through timberland it is lying interlapped. We understand the orchard of Mr. Myers was completely destroyed.

The regular communion services were held at Back Creek church last Friday, Saturday and Sunday.

Mr. John Barger got his arm broke several days ago.

Mr. and Mrs. P. D. Linn spent Sunday in the "berg" with Mr. Linn's mother.

Mr. J. C. Sherrill took his little niece back to her home in Durham, Saturday.

Farmers were on the stir yesterday, but just at the close of the day we had another rain which will put work back some days.

It seems Providence is aiding the cotton association to reduce the acreage in preventing that which is planted being worked. I am sure that if each farmer will diversify as much as possible we will come out all right in the end.

J. C. Sherrill and sister, Lena, who have been visiting their sister in Durham, arrived home yesterday.

We are still getting plenty of rain.

MANNING ITEMS.

Manning, May 15.—Rev. H. A. Trexler and Delegate Simpson Patterson, leaves Wednesday morning for Pilgrim church, Davie county, to be present for the opening of the annual session of the N. C. E. L. Synod.

There will be a big gathering at John Rixes tomorrow for the purpose of erecting a large double log barn.

S. B. Colly says he gathered 31 gallons of strawberries last Friday morning. He sold 20 gallons and gave 11 gallons to his neighbors. Mr. Colly has a patch of about 3,500 plants.

France Cress says he will buy a new Champion harvesting machine.

There will be a marriage at the parsonage Sunday evening.

J. H. Brinkley, after spending some time in Salisbury with friends, has returned home.

Mrs. L. M. Safrir returned to her home on Chestnut Hill, Sunday evening, after spending several days visiting relatives in our community.

Rev. Trexler says he has baptised over 500 infants since he entered the ministry.

W. H. Bost had his house recovered last Wednesday.

A good deal of cotton yet remains to be planted. It looks as if the Hand of Providence will have something to do with reducing the acreage.

Several of our citizens were subpoenaed Thursday for the Grubb-Davis trial.

IN MEMORIAM.

The following resolutions were adopted by Charlotte Division, No. 221, Order of Railway Conductors.

WHEREAS, By the death of B. W. Thaxton, April 25, his family has lost a true and devoted husband and father; one that always provided well well for them.

Whereas, Spencer has lost a good and worthy citizen.

Resolved, That Charlotte Division No. 221, Order of Railway Conductors has lost a true and loyal member and its members a kind and friendly brother; who will be greatly missed, for he was a true and good adviser in all cases for the welfare and good of the Order.

Resolved further, That a copy of these resolutions be published in Salisbury newspapers, a copy to the "Conductors" and also spread upon the record of Charlotte Division No. 221.

E. T. MORRIS,
E. M. PATTERSON,— Committee.
R. L. SIMPSON,
J. A. BEAVER.

DEDICATION SERVICES

There will be a dedication service at Calvary Baptist church, four miles north of Salisbury, near the old Mocksville road, next Sunday with very impressive ceremonies.

There will also be services at the church in the afternoon at 3:30.

Very frank minister case