

NEW CLEWS DISCOVERED IN THE MURDER OF NIGHT WATCHMAN

Police Now On Trail Which They Think Will End Successfully

Arrests Are Expected Soon

Robbery Is Now Firmly Believed To Have Been Slayers Motive

Early on the morning of Sunday, July 5, some person whose exact identity is at present unknown, entered one of the lumber sheds of the Pine Lumber Company and with a shot gun, fired a load of buck shot into the heart of Tony Rogers, the aged negro night-watchman employed by the company to keep a watch over their plant during the night.

The murder was brutal in the extreme and the police, who were on the scene a few minutes after the shooting, made every effort to locate and apprehend the slayer and two colored men have already been arrested for the crime but both of these proved absolute alibis and were released.

A crime of this variety must have had some deep motive and discovering this has baffled the police and has hindered them in their work. So far as is known the murdered man had no enemies and the theory advanced by many that the murderer went to the plant for the purpose of setting it afire is not believed to have been the slayer's object.

Robbery the Object.

It is now firmly believed that robbery was the object. Facts brought to light during the past week have led the officers to believe that Rogers was in the habit of carrying his savings around with him and that his slayer was aware of the fact. Knowing the old man's habits he went to the plant, not with the intention of killing his intended victim but carrying along the shot gun for the purpose of frightening him into handing over the money. The old negro finally reached the spot where the murderer is known to have stood and was there probably told to throw up his hands.

Instead of doing this, it is believed that Rogers made an effort to get his revolver, which he carried in his belt and which was found underneath his body after the killing and it was then that the slayer, seeing that he would either have to shoot or be shot, fired the fatal load into the negro's body and then made a quick search of the old man's clothing, securing his money and made his escape.

Who Was the Man?

Immediately after the shooting a negro is said to have been seen to run into the street a short distance below the mill and that he acted suspiciously when he was told to stop. It was at first believed that this was the murderer. However, this belief has also changed. The negro in question did not have a shot gun and if he had been the slayer it would have been necessary for him to have hidden the weapon within the few seconds which elapsed after the killing and his appearance on Griffith street.

A thorough search of that locality on the following day failed to reveal any hidden weapon and this practically eliminated that man from the list of suspects. Taking this into consideration and by the process of elimination and deduction the police have found a clew which they believe will end in the arrest of the guilty party and when this arrest is made it will cause considerable surprise to all.

Just when the arrest will be made, if at all, is a matter of speculation. The police want to be sure that they have the right party or parties before taking anyone into custody and as the nature of the circumstances is not quite complete, several days will probably elapse before anything is done.

Mr. and Mrs. W. H. ... and daughter Mrs. ... left yesterday afternoon for ... where they will spend a month.

New Bern Iron Works Do Excellent Work

DEMONSTRATE THEIR ABILITY TO HANDLE MOST INTRICATE JOBS.

Last Saturday the sea-going tug, Argonauta, owned by the Wilmington-Towing Company of Wilmington, N. C., left that port enroute to Baltimore with a tow of barges. In coming through the Inland Waterway Canal, the tug lost a shoe when she struck a snag in that waterway and this disabled her.

Without this shoe the vessel was unable to proceed and W. A. Sanders, the manager, who was on board was in a quandary as to where to have the repairs made. He did not think that there was a marine railway here of sufficient size to allow the large craft to be placed on it. However, on Monday night the vessel was brought here and carried to the Meadows Marine Railways. Considerable trouble was experienced in getting the vessel out of the water but E. H. Meadows, Jr., finally accomplished this by himself getting down into the river and placing the blocks under her.

Next it was necessary to have a shoe made to replace the one lost and the services of J. C. Hill and Ephriam Brinson of the New Bern Iron Works were secured. Mr. Hill and Mr. Brinson went to work and for thirty-six hours they labored in getting this ready and the finished product was said by Mr. Sanders to be even better than the one which was first on the vessel.

Mr. Sanders was especially profuse in his praise of Messrs Hill and Brinson for their excellent work. He stated that he did not at first believe that the shoe could be manufactured except in some well equipped Northern plant and in fact had almost given up hope of this. However, he was agreeably surprised. He found that the plant of the New Bern Iron Works was well equipped for just such work and that the men connected with that establishment would tackle any sort of a job, no matter how intricate and stick to it until it was concluded.

The vessel left port yesterday afternoon to conclude her voyage.

SWEET POTATOES ARE ON THE MARKET

Notwithstanding it has been only a short time since the 1913 crop of sweet potatoes has been exhausted, there was nearly one hundred barrels of new ones at the Norfolk Southern freight depot yesterday morning ready to be shipped to northern markets. These potatoes were grown down Neuse river in Carteret county and were brought here by water for shipment to another market.

WATER IN NEUSE RIVER IS VERY LOW.

Captain S. J. Phillips, of the steamer S. J. Phillips that plys between New Bern and Maple Cypress, stated yesterday to a Journal reporter that the water in Neuse river is exceedingly low. When asked what effect the heavy rainfall around Raleigh and other points near the head of the river had, he stated that it all seemed to come in a gush, and now the water is as low as it was a few weeks ago.

Captain Phillips is loud in his praise of the condition of the crops in the section of the county that he passes through.

MANY WATERMELONS.

NOW SEEN ON THE NEW BERN MARKET.

New Bern market is beginning to be crowded with watermelons grown in this and adjoining counties. There were several boat loads of the juicy product of the soil in port yesterday morning including one large flat loaded to its capacity. The prices, which have

Mrs. J. P. C. Davis left yesterday afternoon for Beaufort where she will spend several days visiting her sister.

F. M. SIMMONS. United States Senator Active in Anti-trust Movement.



DEATH CAR MOTORMAN TELLS ANOTHER STORY

PROBE OF FAIRMOUNT PARK CROSSING CRASH CONCLUDED BY COMMITTEE

NORFOLK, July 22.—W. K. Atkinson, motorman in charge of the motor car and trailer which crashed into a Virginian Railway freight train at Fairmount Park grade crossing early last Friday morning, killing seven persons and injuring 89 others, made a second sworn statement yesterday morning at St. Vincent's hospital before Judge William Rhea of State Corporation Commission, and Inspector A. H. Adams of Interstate Commerce Commission.

Replying to questions asked by both Judge Rhea and Mr. Adams, the injured motorman declared he was worked down and in need of sleep, which he said he could not get because of the hours he was required to work. In closing his statement he declared: "I could not get off to rest, and could not get relief."

Just what recommendation Judge Rhea will make to the Corporation Commission, or what will be the suggestion of Inspectors Adams and Johnson in their report to Interstate Commerce Commission, is not known, though it is reported that an overhead crossing at this point may be required as result of Friday's disaster. It was said that the subject had been discussed and that the cost of elevating the tracks of one of the other of the lines would be in the neighborhood of \$90,000.

Following the taking of the testimony of Motorman Atkinson yesterday morning, Judge Rhea left for Richmond, declaring just prior to his departure that his report to the Corporation Commission would be made just as soon as all the evidence had been typewritten and he had secured an opportunity of again going over it carefully.

DELIGHTFUL SAIL

Given in Honor Of Visiting Young Lady.

A delightful sail was given Tuesday night by Andrew Purifoy and E. J. Bayliss, Jr., in honor of Miss Elizabeth Hart, of Winston-Salem.

Among those participating in the enjoyment of the evening, were Misses Elizabeth Hart, of Winston-Salem, Lucy Cahoon, Sophia Ryman, Catherine Jackson, of Washington, N. C., Miss Dixon and Miss Kelley, of Washington, and J. O. Lee, R. L. Taylor, Andrew Rock, Andrew Purifoy and E. J. Bayliss, Jr., Mr. and Mrs. J. C. Brooks chaperoned the party.

Miss Minnie Oxley left yesterday afternoon for a visit to New port.

Miss Kate Oglesby, of Richmond, was a visitor to the city yesterday.

J. L. Sauls, of Port Barnwell, was a visitor to the city yesterday.

An Investigation Shows New Bern Fairly Treated

Serious Charges Against Fire Engine Makers.

PROVED TO BE FALSE

This City Was Not Charged an Exorbitant Price For Machine.

Several weeks ago the city of New Bern placed an order with the American LaFrance Fire Engine Company for a high power combination fire engine, agreeing to pay nine thousand dollars for the same. Some time later a man in Alabama wrote to Mayor Bangert, stating that another town had purchased an engine from that company for a smaller price.

After receiving this letter the Board of Aldermen decided to hold up on the purchase until this report was investigated and a committee was appointed to investigate. This they did and at a special meeting last night rendered the following report which exonerates the company from any such dealings was intimated in the letter from the Alabama man.

The Report.

The undersigned committee, appointed by the Board at the meeting held July 14, 1914, to investigate the price charged for the fire apparatus purchased from the American LaFrance Fire Engine Company, Elmira, N. Y., respectfully reports as follows.

The contract for the apparatus was executed June 24, 1914. The price to be paid was \$9,000, of which \$1,000 was to be paid 1st of January, 1915, and the balance in equal installments, one, two, three, four and five years, with 5 per cent. interest from the day the apparatus was accepted. The first communication suggesting that the price was more than the company charged other cities was from Wm. Drysdale in a letter dated Selma, Ala., July 9, 1914, and addressed to the Mayor of New Bern. This letter was received July 11, and stated that the company was then trying to sell Montgomery, Ala., a machine, the same as this city ordered, for \$8,000, payments one, two, three, four, five and six years with three per cent. interest. Immediately upon receipt of this letter the Mayor wrote to Drysdale requesting him to give further information. At the meeting of the Board held on the 14th of July, Alderman McCarthy suggested that the price which this city had agreed to pay was in excess of that charged other cities and the Board appointed this committee to investigate the matter and ordered the clerk to notify the company to hold back the construction of the apparatus until further notice. On the 15 of July, the City Clerk advised the company of the action of the Board and notified it to hold back the construction of the apparatus until further notice, and on the same day the Mayor and committee addressed letters to the Mayors of Atlanta, Ga., Raleigh, N. C., and Montgomery, Ala. A letter was received from the Mayor of Atlanta stating that his city had purchased apparatus similar to that sold to this city, with the exception of the chemical part of it, for the sum of \$8,250 cash, and that the city of Atlanta agreed to buy two engines and thereby secured the reduction; that the company's bid was practically on a \$9,000 basis and that concessions were made subject to the buying of two at one time. The chemical apparatus cost \$500. On the 21 of July Mr. S. P. Blanc came to this city and told the committee that he had learned through newspaper reports that the investigation was being made and furnished the committee with a printed list of all the cities and towns which had purchased apparatus from the company during the last several years and offered to pay the expenses of ascertaining from any of the cities or towns the price they had paid for apparatus like this city had ordered. Telegrams were sent to the Mayors of Montgomery, Ala., Nashville, Tenn., Danville Va., Charlotte, N. C., and Andover, Mass., and replies were received from all of them and each of them stated that the price paid for the apparatus, such as this city had ordered, was \$9,000. The Mayor of Montgomery, Ala., stated that his city had not purchased apparatus, but that the company had agreed to sell this same for \$9,000, with a five per cent. interest on the balance. This telegram was in disagreement with the statement made

Also Seen in Shreveport.

Shreveport today was added to the growing list of cities where the Nelms sisters have "positively been identified." Pictures of the missing women were seen there by several persons who "recognized" them as the likenesses of two strange young women who had been there a few days before. Mrs. H. D. Jackson, wife of hotel proprietor, was positive in her assertion that Eloise registered there June 19.

Dispatches from San Antonio say that Sergeant Luck is expected to investigate the visit in June of Innes and his wife to Devine and to ascertain if it could have had any bearing on the disappearance of Eloise and Beatrice. Mrs. Innes' daughter by former marriage is Mrs. Moore, wife of a physician of Devine.

Sergeant Luck was preceded to San Antonio by an Atlanta newspaper reporter who bears letters from Chief Beavers, Marshall Nelms and Mrs. J. W. Nelms, requesting the police of different cities to assist him in the search for the missing sisters.

Chief Beavers received a letter from a man in a Western city who was positive he had located the missing Nelms girls. He had pictures of Eloise and Beatrice, and said that their appearance corresponded exactly to the photographs. Chief Beavers would not give out the name of the city until he had further verified the report. The girls are said to be living very quietly in their seclusion.

Miss Vera Perkins left yesterday afternoon for Morehead City to spend several days visiting relatives.

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SEARCH FOR THE NELMS SISTERS IS BEING WAGED

Scene Now Shifts To Town in Texas.

WILL QUESTION RELATIVES.

Believe That They Know of Whereabouts of The Two Girls.

ATLANTA, GA., July 22

Search for the missing Nelms sisters today centered about the City of Devine, Texas, about 30 miles from San Antonio and among the relatives of the wife of Victor E. Innes, whom both Innes and his wife visited in June.

Sergeant A. D. Luck, member of the Atlanta police force and a relative of the Nelms family, arrived in San Antonio today and proceeded on to Devine a few hours later. He is said to have apparently reliable information that one or both of the sisters are being held here.

Other important developments of the day were the finding of a scalp in Hay's Lake, near Winnsboro, La., thought possibly the scalp of Beatrice whom Eloise in the death note was represented as saying she had killed; the receiving by Mrs. J. W. Nelms of a mysterious postcard that she believes is in the handwriting of Beatrice and the report to Chief Beavers from a Western town that the missing woman had been located there almost beyond chance of mistake.

Scalp in Lake Mystery.

Advices from Winnsboro, La., said the finding of the scalp in Hay's Lake, near there, could not be explained by any recent tragedy. The hair was blonde and the scalp had apparently been in the water a month. It was found by negro fishermen who were terrified at their discovery. Dynamiting failed to bring up the body.

After dragging Hay's Lake for several hours, searchers reported that no portion of the body from which the woman's scalp and hair is supposed to have been pulled could be found. The hair and the scalp had been in the water so long and were so thoroughly covered with mud and grass that the color could not be determined. The presumption is that the body had been in the water three weeks or a month, and that the recent freshets had washed the body into the creek that leads from the lake. This creek will be thoroughly dragged for the body.

There is no one missing from that section of the country, and officials are inclined to believe the woman must have fallen from a passing train into the creek, and the body found its way into the lake, as the Northwestern Railway crosses the creek two miles above where the hair was found.

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NEW FRANK PLEA IS ARGUED IN HIGH COURT

Justices Take Case Under Consideration.

GRICE MAKES APPEARANCE.

Argument Revolved Around Identification of Strand of Hair.

ATLANTA, July 22.—Attorneys for Leo M. Frank trained the biggest gun of the defense and utilized their final reserve of legal ammunition in the effort to save his life today, when the Georgia Supreme Court heard the appeal for a new trial on an extraordinary motion denied by Judge Ben Hill in the Fulton Superior Court.

However, for all the determination and the desperation of the final clash neither defense or prosecution sprung lines of efforts that were notably new. The arguments in a large measure were tedious, based for the most part on a detailed review of the intricate evidence that has become familiar.

Luther Rosser, for the defense, opened the argument, and Attorney General Grice and Solicitor Dorsey answered for the State. Reuben Arnold closed the hearing. Chief Justice Fish and Justice Lumpkin and Beck heard the arguments. This was the first appearance of Attorney General Grice in the case.

Attacks Harris Evidence.

Luther Rosser dwelt for some time on the statement of Dr. Harris, of the State Board of Health, made subsequent to the trial of Frank, that he was not positive the hair found in the lock room of the National Pencil Factory was the hair of Mary Pagan.

Disputing the contention of the State that certain stains discovered on the second floor of the factory were blood stains, an contention that no evidence was there to prove it was the blood of the murdered girl, if he had been blood, the defensing lawyer attacked one of the most important links in the State's chain of circumstantial evidence.

The defense emphasized its charge of prejudice and excitement in the atmosphere of the trial court was colored to Frank's detriment. Attorney General Grice replied but briefly in opposing the State's argument. He declared the case was not one for an extraordinary motion, and that the present appeal to the Supreme Court could be traced to the indefatigability of the defensing counsel.

Previously Decided, He Says.

"The points of law involved are simple and plain," he said, "and have all been settled by previous decision of this Court."

The argument of Solicitor Dorsey was lengthy and analytical. He reviewed the case from the start, relating the evidence in detail, and tracing the circumstantial evidence which he claimed, even without the testimony of Jim Conley would have been sufficient to convict Frank.

"The State denied before, in the presence of this court, and in the trial, that any prejudice, and excitement existed," he said. "This question has been settled by the trial judge, and does not rightly belong here. The State had a perfect and irrefutable case, even without Conley's testimony. Cut him out, and then see what we have."

Hints at Bribery.

Continuing he outlined the circumstantial case, basing it upon the State's allegations of Frank's evil character, and building it upon the testimony of various witnesses. Answering Mr. Rosser's argument concerning the blood stains, he cited the testimony of the city chemist that there were a few blood corpuscles found on the stained wood.

Throughout the argument the Solicitor hinted at bribery and attempted corruption on the part of the defense, bringing in the names of Albert and Minola McKnight, D. B. Dalton, C. W. Burke, and several young women.

The closing argument by Reuben Arnold was as lengthy as any that had gone before, and consisted in a painstaking effort to impeach various bits of the State's testimony, and in interpretations of a number of circumstances in Frank's favor which had been drawn against him by the State. The Court took the case under consideration.