

Trial of Fisher and O'Day.

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and ticket agent. Saw prisoners at station that morning about 10 o'clock. They came in waiting room and inquired about train. They bought tickets and left on freight train. Bought tickets to Wadesboro, paying for them in nickels, dimes, etc. They were reading a newspaper while waiting on train. Reported matter to Sheriff Bogin.

John P. Hunter, Sheriff of Lancaster county. Got notice of robbery at Heath Springs early in morning of April 1. Took early train and went there. Remained there until blood hounds came. When dogs came they could take no trail. Saw tracks from blacksmith shop to store. Traced tracks, which led east, for some distance and then went in a northern direction. Lost tracks beyond P. W. Twitty's. Advised that telegrams be sent and hand bills sent out giving descriptions, etc. Went to Wadesboro on 9th of April, and saw prisoners, both of whom were shot. Asked black mustached man his name and he said John Fisher. Asked him if he was willing to go back with me for cracking safe at Heath Springs. He said he knew nothing about it. I asked him what was the other man's name and he said I would have to ask him. I did and he said Charles O'Day. I saw satchel, dark lantern, pistol, chisel, money, etc. I noticed especially a \$5 bill and some \$1 bills. The \$5 bill was folded so as to make it look like it was several bills. Curtis Mackey and Sheriff Bogin examined money carefully. Went back to Wadesboro 16th Sept. On that day I went with prisoners to Bennett & Bennett's office, their attorneys. An instrument of writing was drawn up and signed by Fisher. Mr. Bennett wrote his name. O'Day signed paper. Several parties went to jail to see prisoners. Brought prisoners from Wadesboro in carriage to McFarland, where took train to Cheraw. Put them in Cheraw guard house. After a short time I went back and in room in which Fisher was a plank had been torn off. Fisher denied doing it. Some company has offered reward \$100 for apprehension and conviction of prisoners.

G. M. Rogers—Justice of peace at Wadesboro, identifies prisoners, saw them at Wadesboro and here. Identifies his civil docket shown him. There was a suit in my court against O'Day and Fisher on an order given by them to John Bennett.

J. W. Cauthen, Barber in Lancaster, saw Fischer in my barber shop last of March. My assistant shaved him. This was 3 or 4 days before safe was cracked.

Cross Examination—Am not certain as to this man or the date.

H. T. Gregory—For last 10 years Post Office Inspector for U. S. Government. I have been investigating this case. Was at preliminary hearing. I went into store, office and vault of Springs B. & M. Co., blacksmith shop, etc., and interviewed persons about robbery. Saw Andrew Rollings and James Robertson, among others, went

with them to place where it seemed there had been a camp. I picked up wrapper and showed it to Mr. Williams at S. B. & M. Co's store. I interviewed several witnesses in this case. Shows Post-route map of So. Ca, and southern half of N. C., issued by Post office department. Map has Lancaster county on it, Monroe, N. C., Anson Co., Wingate and McFarland. First saw Fisher and O'Day in Wadesboro. They were arranged, on charge of carrying concealed weapons; prisoners pleaded guilty. Saw contents of satchel in Sheriff Bogin's office. There was a map in the satchel. Saw 2 bottles containing nitro glycerine, dynamite caps, fuse, etc. Have made test of nitro glycerine in bottles in town of Lancaster, a few days ago. Demonstrates with a rock in court how an explosion is produced, using soap as packing, and fuse. Ran about 30 yards after I lighted the fuse. In about a minute there was an explosion like a cannon cracker, splitting open rock. Found some nitro glycerine in hot water bag. Explains use of steel wedge, soap and nitro-glycerine in cracking a safe. Also the use of brace, hammer, monkey wrench, etc. Blood-hounds can never trail safe crackers. They use oil of mustard.

Cross Examination—Two men convicted in Latta, S. C., and having served a year in penitentiary were pardoned by Gov. of S. C. Nitro-glycerine is extracted from stick dynamite and is used for cracking purposes. Hot water bag used to carry bottles of nitro-glycerine in to prevent sudden concussion.

Sheriff John A. Bogin, of Anson, Co., N. C., identified the prisoners as being same parties who were in his custody at Wadesboro. He also testified as to money, etc., found on them. The bills, he said, had a crumpled appearance.

State Rests—The defendants offer no testimony. Their counsel move to strike out all the evidence as to the satchel and contents, because it has not been proved that these things connect defendants with the crime. Also moves to strike out all evidence about arrest, etc., in No. Ca. Also moves to instruct jury to find a verdict of "not guilty" because no evidence that explosives were used in bursting open safe. Also moves the court to direct verdict of not guilty because Act under which defendants are indicted is null and void because its subject—safecracking—is not set forth in the title, as the constitution requires. All of these motions were overruled.

THE ARGUMENT.

Mr. D. Reece Williams first addressed the jury in behalf of the defense, speaking for half an hour and making a strong, logical argument. He was followed by Solicitor Henry for the State, who spoke for an hour and twenty-minutes. Col. T. Y. Williams, senior counsel for the prisoners, closed the argument in a speech of one hour.

JUDGE'S CHARGE

Judge Buchanan charged the jury at length as to the law applicable to the case. He fully explained the law as to circumstantial evidence. It was 5.30

o'clock Saturday afternoon when his Honor turned the case over to the jury.

VERDICT.

It was generally thought that the jury would soon agree upon a verdict, but it was midnight before they returned to the court room with a finding. Their verdict was guilty with a recommendation to mercy, which recommendation reduces the punishment from life imprisonment in the penitentiary to a term of years, not less than ten.

The defendants' counsel immediately gave notice of a motion for a new trial. It is said that the jury was unanimous for conviction from the outset of their deliberations, but that one of their number wanted to recommend to mercy and the remaining eleven, rather than let the case result in a mistrial, finally went over to his side.

Jr. O. U. A. M.

The Great Benevolent and Patriotic Order Takes a Firm Stand in Favor of the Restriction of Immigration.

Immigration from European Countries during the past year was larger than ever before, and the positive and everpresent evils of unrestricted immigration are so antagonistic to our social condition and the welfare of wage earners of the United States that the American people now demand that some barrier be erected, not only against the insane, the criminal and the pauper, but against the COMPETITIVE alien upon whose product we have been levying a high productive tariff. Charitable institutions, prisons and hospitals are crowded with aliens, and some of the trades, mines and public works are so burdened with the low grade of foreign labor that the American workmen are driven out. Last year twenty-five million dollars was sent to Italy by Italians in America and most of it was to assist others to come. Some parts of Southern Europe have become almost depopulated through immigration to United States and in many localities not enough able bodied men can be found to bury the dead for the reason that all the men and boys are in the United States and every one of them has displaced some American native born or naturalized citizen. The restriction of immigration has become an economic necessity and should be a live political issue throughout each Congressional district. The situation is grave and threatening for the tide of immigration brings with it the germs of anarchy, crime, disease, and degeneracy and it is an open attack on the very existence of the American laboring men. Already the character of many parts of the New England States has been radically altered because of the fact that the foreign element has driven out the old stock of Americans, which will be the ultimate fate of other portions of our land, and if continued for one hundred years the present race of native born or naturalized Americans will be as extinct as the mound builders. Under our loose naturalization laws those ignorant immigrants soon become voters, the tools of corporations, the bosses and demagogic ringsters, and their votes give the majorities in our great cities, carry the States and there

by decide for us our national elections and policies.

The object of the Junior Order United American Mechanics has been greatly misunderstood and misquoted. It is not desired that any foreign born person be excluded from this country if his intention in coming here is to make this land his home, to observe her laws and to assist in maintaining the high character of social life we have always enjoyed. The American citizen's manner of living is such that it is absolutely impossible for the American Mechanic to compete with the hordes of pauper laborers being poured in upon us every year, and this order insists that the American laborer should not only be protected against the articles made by the hands of the paupers in the pauper district of the European and Oriental Countries at pauper wages, but that we should be protected against

direct competition and contact with the pauper laborers themselves in our own land. This organization is not a labor organization, neither is it a board of mechanics, as its name would imply, but we have a most profound respect for the American laboring man, who is the real supporter of American institutions, and one object of this order is to protect the American laborer, the American Manufacturer and the American home from the depressing effects of unrestricted immigration. Our record and our intentions are open for the inspection of an intelligent public, and we ever extend the hand of fraternity to all who believe in America and American institutions. We invite all patriotic orders, labor organizations and religious societies to join us in this campaign.

B. F. Adams,
Recording Sec.,
Dixie Council, No. 43.

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