

SHAW MURDER TRIAL.

State's Evidence Not Yet Completed—Henry Gurkin and R. W. Cobb, on Trial Charged With the Murder of Thomas Shaw.

GURKIN NOT GUILTY

Late Tuesday evening Judge Lane ordered a verdict of not guilty as to Henry Gurkin, and the State immediately put young Gurkin on the stand as a witness against Cobb.

Henry Gurkin and R. W. Cobb, two young men of Roanoke Rapids, of splendid family connections, were placed on trial Friday charged with the awful crime of murder. Up to the hour of going to press four days have been consumed, and the end is not yet in sight.

Judge Henry P. Lane, of Reidsville, is presiding, and at all times he holds the scales of justice so evenly balanced that few exceptions to his rulings are noted. The State is represented by Solicitor Kerr, E. L. Travis and A. L. Clark. For defendant Gurkin, W. E. Daniel, W. L. Knight, G. C. Peebles and Garland Midsyette, are appearing. Cobb is represented by R. C. Dunn and J. P. Pippin.

Its a legal battle and every State witness is put through three examinations, first by the State, then by counsel for Gurkin, and finally by counsel for Cobb.

PROCEEDINGS IN DETAIL.

Friday—Judge Lane convened court at 10:00 o'clock. There was only one of the regular panel present, E. F. Sater, and he was promptly accepted by both sides as juror No. 1.

Then began the drawing from the hat the names of the special venire.

T. T. Hale, first, excused by the State.

G. M. Hamell, peremptory challenge by the defendant.

Henry Robertson, excused.

H. M. Porter, accepted as juror No. 2.

Ed. Allsbrook, excused on account of sickness.

J. W. Dickens, peremptory challenge by the defendant Cobb.

D. E. Iles, qualified, but a peremptory by defendant Gurkin knocked him out.

T. M. Cooper went into the jury box as juror No. 3.

W. E. Marks, not acceptable to the defendant.

C. Braswell, excused by the State.

J. W. Leonard, excused by the Solicitor.

W. H. Rogerston had been drawn as "Royster" and excused by the court.

Russell Lewis, accepted by all parties, and seated as juror No. 4.

J. W. Pierce, related to defendant Gurkin.

Charlie Bradley, accepted as juror No. 5.

J. H. Pope, peremptory challenge by defendant.

H. M. Adcock, excused by the State.

W. H. Thorne, challenged for cause by State, cause admitted by defendant.

W. H. Collins, excused by the State.

H. O. Crawley, excused by the defendant.

J. W. Bell, accepted as juror No. 6.

Ed. Harper, not acceptable to defendant.

R. E. Shearin, accepted by the State but the defendant said "No."

Jack Barnes, from the land of somewhere, accepted by both sides as juror No. 7.

J. D. Manning, went into the jury box as juror No. 8.

Jerry Branch, he also ran with the State, but the defendant said not so.

S. C. Bellamy, had expressed the opinion that defendants are guilty.

C. H. Robertson, had formed and expressed the opinion that the defendants are guilty.

J. G. Sears, excused by the State.

R. J. Shields, tendered: "Juror look upon the prisoner, prisoner look upon the juror. Do you like him?" "No."

Charles Hargrove, excused by defendant.

B. N. Pittard, believed that the defendants are guilty.

T. J. Hardy, excused by the State.

R. B. Ivey, excused by defendant.

B. F. Cox, sworn in as juror No. 9.

S. F. Hardy, stood aside by a peremptory challenge by the defendant.

J. E. Condry, but here the court took a recess for dinner.

Afternoon Session—Mr. Condry recalled, had a case pending and

at issue, and was excused. W. H. Saunders, related by marriage to defendant.

J. S. Crew, passed by the State but a peremptory by Cobb knocked him out of the box.

Willie Hale, accepted as juror No. 10.

E. P. Applewhite, challenged by defendant and not accepted.

L. Powell, had formed and expressed the opinion that Gurkin was guilty.

Patterson Dickens, excused by the defendant.

W. H. Rigan, challenged for cause by defendant and not accepted.

J. E. Branch, passed by the state but fell down on a peremptory by the defendant.

W. F. Coppedge, had formed and expressed the opinion that Cobb is guilty.

George V. Boyd, had also formed and expressed the opinion that defendants are guilty.

J. W. Dickens, related to family and excused.

Frank Moore passed by the State and accepted as juror No. 11.

Ernest Smith, accepted by all parties and sworn in as juror No. 12.

Here the case took a peculiar turn. Judge Lane sent the jury out with the exception of Juror Cox, and Miss Ednah Dickens, of Roanoke Rapids, was sworn and testified that Mr. Cox had said in her presence that the defendants were guilty and that Cobb had not a ghost of a chance. That anybody who was mean enough to break into the depot, was not too good to kill a man. The court excused Mr. Cox and called the eleven back into the box, and proceeded with the business of securing another juror.

B. Y. Harris, not accepted by the defendants.

Walter Dunn, a brother of R. C. Dunn, of counsel for defendant Cobb, and excused.

W. G. Hedgpath, passed by the State, challenged by the defendant and excused.

This exhausted the venire, with Cox's seat in the box still vacant, and Judge Lane ordered a second venire drawn of 20 men to report Saturday morning at 10 o'clock, and adjourned court till that time.

Saturday, June 7.—Court opened at 10:30. W. B. Roseman, G. L. Powell, W. J. Parnin, J. P. Walker and J. E. Neville, were examined and excused.

J. E. Rue was passed and accepted to fill the vacancy in the box and the battle was on.

Clerk Gary read the bill of indictment, and the evidence began at once for the State.

Mrs. Shaw, widow of Thomas Shaw, in deep mourning, took the stand and told in a pathetic manner of finding her husband on the ground with his life fast ebbing away. Her little son, Shelton, was the next witness. He left the store with his father. It was a dark night, they saw a man crouching down by the side of the porch. The man sprang up and said: "Hands up." His father thought it was a neighbor and said, "Oh, quit your fooling." The man fired and Shaw fell dying. Little Shelton ran back to the road where there were some neighbors who had just left the store and soon returned with help. Mr. Shaw was placed in an automobile and rushed to the hospital at Roanoke Rapids, where he died early the next morning.

C. O. Byrd, the next witness, told of tracking the man with blood hounds. It appeared that he rode a wheel up to Shaw's and mounted this wheel after jumping over a fence and escaped out in the direction of Rosemary, a distance of about two and a half miles.

Sam Hockaday's evidence was along the same line.

Monday, June 9.—The third day of the trial began with the evidence of Mr. Cowan, of the State farm, who helped to track the murderer with blood hounds.

Clyde Taylor testified that Cobb borrowed his bicycle the evening of the murder. The bicycle was placed in evidence.

Pendleton Grizzard, a bright youth, went to Taylor's and delivered the wheel to Cobb.

Chief of Police Baird measured the tracks at the fence at Shaw's house, and along the road, he afterwards measured. Cobb's tracks and found that they fit exactly and compared all the way round. They did not compare with Gurkin's tracks.

When asked by Attorney Travis to tell of a certain confession Gurkin made, after his arrest, the defendant's attorneys were quick on their feet with objections, it being understood that the confession was the most damaging. Judge Lane sent the jury from the room and heard argument as to admitting alleged confession made to Baird and Mr. Chase. It appearing that inducements had been held out to Gurkin, Judge Lane said I will exclude the testimony for the present, and the jury was brought back into the box.

ANNUAL STATEMENT

Of Accounts Audited and Allowed By the Town Board of Commissioners for the town of Weldon, N. C., and of all Allowances for Which no Vouchers are Filed for the Fiscal Year May 1, 1912 to April 30, 1913.

Table with columns for date (MAY 6, 1912), name, and amount. Includes entries for W. Wiggins, M. L. Hux, W. M. Cohen, etc.

Table with columns for date (JUNE 3, 1912), name, and amount. Includes entries for Walter Garland, W. Wiggins, M. L. Hux, etc.

Table with columns for date (JULY 1, 1912), name, and amount. Includes entries for Dr. J. E. Green, W. Wiggins, M. L. Hux, etc.

Table with columns for date (AUGUST 5, 1912), name, and amount. Includes entries for D. E. Stainback, W. Wiggins, M. L. Hux, etc.

Table with columns for date (SEPTEMBER 2, 1912), name, and amount. Includes entries for W. Wiggins, M. L. Hux, W. M. Cohen, etc.

Table with columns for date (OCTOBER 7, 1912), name, and amount. Includes entries for W. Wiggins, M. L. Hux, W. M. Cohen, etc.

Table with columns for date (NOVEMBER 4, 1912), name, and amount. Includes entries for W. Wiggins, M. L. Hux, W. M. Cohen, etc.

Table with columns for date (DECEMBER 2, 1912), name, and amount. Includes entries for Dr. J. E. Green, W. Wiggins, M. L. Hux, etc.

Table with columns for date (JANUARY 6, 1913), name, and amount. Includes entries for J. W. Pierce, M. L. Hux, W. M. Cohen, etc.

Table with columns for date (FEBRUARY 3, 1913), name, and amount. Includes entries for W. Wiggins, M. L. Hux, Walter Lucas, etc.

[SHAW MURDER TRIAL.] H. R. Keyser, druggist, said: "Cobb came to my store a few days before the murder, and asked for the loan of a pistol. He came again Saturday evening of the murder and repeated the request, which I refused."

B. H. Ross, barber, testified that Cobb came to his shop Saturday evening May 3, and wanted to borrow a pistol. Did not see Cobb again till about 11 o'clock that night when he came in bareheaded and went to the toilet and washed up.

J. W. Mason, gave damaging evidence as to hearing Cobb and Gurkin plotting to rob Thomas Shaw. He was put through the third degree on cross examination by counsel for defendant Gurkin and then had a second grilling by counsel for Cobb. While he did not show up favorably as to his travels with a certain female friend after leaving Rosemary, his evidence was unshaken as to the alleged plot to rob Shaw of his money.

Monday, June 10.—Judge Lane this morning admitted all the evidence excluded yesterday as to alleged confession of Gurkin. W. F. Horner, the trial magistrate, testified that Gurkin said he wanted to change his life, and that what he said about the time he and Cobb came to Weldon was not true, that they came earlier than he said and returned to Roanoke Junction earlier. That Cobb said he was going over the creek. When Cobb came back he asked Gurkin to exchange bicycles, that he could not ride the one he had.

In substance Gurkin made about the same confession to J. T. Chase and Chief of Police Baird. A. M. Lyon saw Cobb night of murder at about 11 o'clock, Cobb came in pool room dusty, and had no hat on.

S. F. Patterson testified that he saw Cobb at Tom Shaw's funeral. Patterson was watching him closely. When the grave was being filled noticed that Cobb became very nervous. He attempted to roll a cigarette, but failed and made the second attempt. His hands were shaking. On cross examination by Mr. Dunn Mr. Patterson said he couldn't say if Cobb had ever rolled a cigarette before.

Several other witnesses testified for the State, but their evidence was not material, and the State announced that it would rest.

C. G. Peebles, of counsel for Gurkin, then arose and moved that their client be discharged, that at no stage of the evidence had any witness had ever placed Henry Gurkin nearer than two miles of the scene of the crime, and that he could not be convicted as an accessory before the facts. Mr. Peebles then cited numerous authorities, and court took a recess of one hour to allow counsel for State to look up authorities in the case. On reassembling Judge Lane, after argument, had the jury brought back. Henry Gurkin having been indicted as co-principal, Judge Lane held that taking State's evidence in the most favorable light, without any evidence of the part defendant Gurkin could not be convicted on the bill of indictment. The young prisoner was then set at liberty. Immediately the State placed him on the stand, as a State witness against Cobb. Gurkin said the alleged confession to Horner, Chase and Baird was in the main about right, but he denied having had the conversation with Cobb as testified to by Mason.

GEORGIA, we are told, leads all the Southern States in the possession of automobiles. In fact, she boasts nearly twice as many of these vehicles as any one of her neighbors and is increasing her supply faster than any other Southern State.

Disbursements: Paid out to order of Board \$6792.86, Balance 1,672.36, Total \$8,465.22. Respectfully submitted, W. M. COHEN, Treas.

Advertisement for 'The Velvet Kind' Pure Ice Cream. Includes illustration of a woman and a man, and text: 'I'm So Glad You Brought Ice Cream'. 'That's what the folks at home say these sultry days. When the thermometer is way up and collars are melting down, that's the time you crave something cool and refreshing. These are the kind of days for the Velvet Kind Pure Ice Cream.'

Advertisement for R. E. Draper Co. Good Clothes. Includes illustration of a man in a suit and a dog. Text: 'The Store of Quality R. E. Draper Co. Honest Goods At Honest Prices. Never made brains, but they gave many a fellow the opportunity to prove he had them, and it is brains now, that make our custom-tailored suits so popular.'

Advertisement for SECURITY! Protect your home with the best policy. You may need fire insurance but once in a life time. At that crucial moment you want the best Think of this when you insure. We write it; you need it. The best costs no more than the safest. Big Reductions in Clothing, Hats, etc. RUB-MY-TISM Will cure your Rheumatism Neuralgia, Headaches, Cramps, Colic, Sprains, Bruises, Cuts and Burns, Old Sores, Stings of Insects Etc. Antiseptic Anodyne, used internally and externally. Price 25c.