

SMITH CONVICTED.

Murder in Second Degree For Killing Milton Bunnell.

MAXIMUM SENTENCE OF THIRTY YEARS.

Tried at Troy Last Week--Father, Make Smith, not to be tried until September Term--The facts Developed at the Trial.

Just after dark on January 10th of this year, some one killed J. Milton Bunnell, about one half mile south of Star in Montgomery county, while walking on the railroad track. The killing was done with an axe by splitting his head open by a lick from behind and by two other severe wounds with the blade of the axe, one on the jaw and one on the neck near the collar bone. Soon after the killing a north bound train knocked the body from the track and further mutilated it.

The coroner's jury on the next day and a large number of people who viewed the body saw plainly that the deceased had been killed. On his person was found \$460 sewed up in his clothes, but his purse, which contained four ten dollar bills, two one dollar bills, two ten dollar gold pieces, one five dollar gold piece, and some silver was missing. It was clear that the deceased had been killed and robbed by some one who had taken his purse, not knowing he had any other money on his person, or had been frightened away before making a thorough search of the body, as the killing was done in fifty yards of Thomas Leach's house.

Suspicion soon rested on Charles Smith who was seen with a ten dollar piece of gold and said he got it about and about and knew where he could get some more. He had shortly before requested Nune Harris, a colored man, to get him up some gold, but soon after the killing told him that he need not get any gold for him and showed a ten dollar piece, saying, "If Make asks you where I got this gold, tell him you let me have it." Then Charles asked Nune to get him some greenback. Within six days enough evidence had been obtained to have the boy arrested. He was taken by Mr. Frank Page, Rufus E. Betts, and G. C. Crocker into a room and was told of the facts they knew of his having the gold and was requested to tell the truth. After some hesitation Charles told that he had seen Bunnell at his grandmother, Doreas Brewer's the day of the killing and that he showed him some gold and other money and that he tried to get Bunnell to agree to sell him some of the gold if he could get up greenback for it. That Bunnell left going to Marth Smith's, south of Biscoe and said he was going back to his sister, "Duck's," widow of the late Frans Barns, of Moore county, and who lives above Star. That when his father, whom he and all the family call "Make," came home about dark, he told him that Milton Bunnell had been at his grandma's that day and had considerable gold and other money. Make picked up the axe and said "Follow me." They went along the dirt road near the railroad toward Star until they got to a bridge in Tom Leach's field and waited a few minutes until they saw Bunnell walking along the railroad track. Make said, "Take the axe and slip up behind and kill him." He did so. Then Make said, "Hit him again" and he struck two more blows. Then Make said, "Feel in his pocket and get his money. Then he took the axe in his hand and walked back along the railroad and the public road. Just before getting even with where they lived, Make came to him and said to throw the axe in a large mud hole containing much water. When they got home, Make counted the money and it was \$69.85. Make let him have one of the ten dollar gold pieces, but had made him give it back. Young Smith said, when asked, that he thought he might be able to find the money. They went to Make's. Charles looked in the cupboard and elsewhere. Then they went to a small out house in which was a large box containing cotton seed. He looked about and finally the box was prized up and Bunnell's purse containing \$59.85 was found under the box, one of the ten dollar pieces being gone. There was another pocket book under the box then, but on Sunday following Charles' purse containing the ten

dollar piece and some small change was found under the box. At the trial at Troy last week, Charles only was put on trial. His confession and other testimony were in evidence. The defense was placed on the stand and testified that he alone and unaided killed Bunnell and that his father knew nothing about it. He said that he had traded for the seven or eight pocket knives he had when arrested; that the large bunch of keys he had, he found in the road and that he had left his pocket book at home, but where he did not know. He testified that he had been to school a week and two half days, would be 16 years old in July, had been to church and Sunday School two or three times, had never heard of Jesus Christ, thought he had heard of God, that Make had read about him in the Bible once or twice and thought it was God that had seemed to tell him to strike Bunnell and to throw the axe in the mud hole. He had never heard of Heaven or Hell, did not know what a postmaster or mail was, but thought he had seen mail carried in his buggy; had never prayed in his life and had never heard his father or mother pray and had never heard of the Lord's Prayer or the Ten Commandments.

There were several witnesses testified that he had a weak mind, and while they thought he knew right from wrong, yet his intellect was of a low order. Many others swore that his intellect was that of the average uneducated and uneducated boy raised under similar influences. Many swore they never heard of his being crazy until since the killing. He pretended to make a profession of religion while in jail which was his reason for changing his statement to his first confession implicating his father.

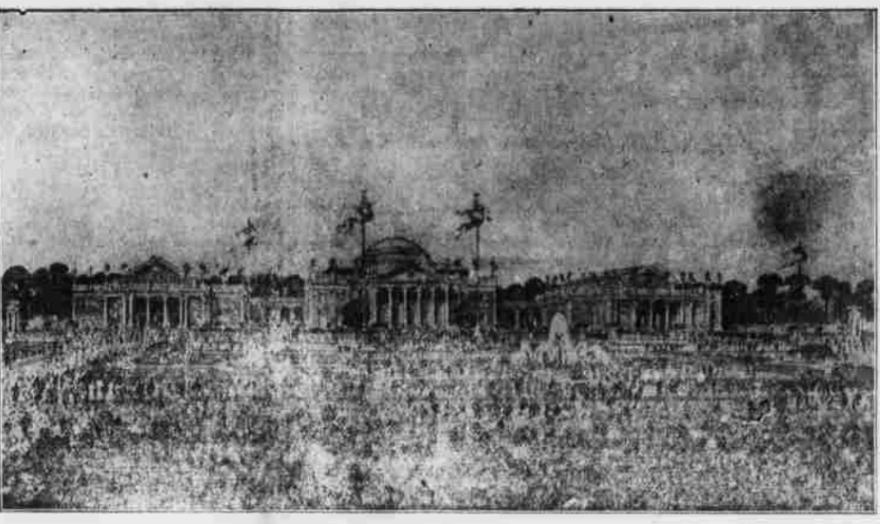
Under the statute in this state, any one who kills another by poison or by secretly waylaying in the commission of a felony such as robbery or larceny is guilty of murder in the first degree and the penalty is death. Under this it appears the verdict should have been murder in the first degree or acquittal on the plea of irresponsibility because of insanity or imbecility. Yet under the learned Judge's charge who presided, in defining murder, he very properly said that killing with a deadly weapon was murder in the second degree, nothing else appearing, but that if the jury were satisfied that the defendant had committed the deed in perpetration of a felony, to wit: robbery of the deceased, that they should find the defendant guilty of murder in the first degree. The Jury was out some three or four hours. At first they were evenly divided on murder in the first degree and murder in the second degree. Charles is probably 17 or 18 years old and has probably never had a strong mind, but he is clearly responsible for his acts and knows right from wrong. His father, Make Smith, is a brother of Jim Smith, who lived until five years ago near Biscoe across the county line in Moore. Jim Smith was known as the King of Black Ankle. Five years ago he ran away with Milton Bunnell's wife, who now lives at John's Station, and after a few months returned. He has since moved his family to Rockingham.

WE NEED STREETS.

Contemplated Improvements in the Business Section of Asheboro Demand Co-operation of Town Council in Municipal Development.

Would it not be well for the people of Asheboro to consider street improvements in connection with the county good roads movement. The laws of the state provide for working the county roads at the state's expense, but when a road strikes the corporate limit of a town, the work must stop. With the erection of many nice residences in our midst the town council should provide for street improvements, and property owners required to pave sidewalks in front of property where these improvements are made. Property owners may erect handsome residences and business houses but unless these are accessible without jumping gutters and stepping down grade and miring on level ground to mud the town's progress will be slow.

There is now just time to avoid the necessary legislation to secure more money of disagreeable



Auditorium and Palace of History and Art, Jamestown Exposition.

ROADS MEETING.

Second Session of the County Good Roads Association Will be Held Monday.

President C. L. McAlister, of the Good Roads Association of Randolph county, has received a letter from Mr. J. Van Lindley, of Greensboro, in which he accepts the invitation to attend the next meeting of the Association to be held at the courthouse Monday, February 4th and address the people of the county in the interest of the movement. Nothing has been heard from Prof. Holmes, of Raleigh, but it is hoped that he will also be present and deliver an address.

Among other things that will be presented to the Association will be the bill to go before the legislature, asking authority to hold an election for this work in Randolph county.

Vice Presidents in several townships are also to be appointed. Reports from many sections of the county evince the strong favor in which the proposed measure is held and the prospect for permanently improved roads in the county is bright.

Let everybody come and help forward the work.

BRICK BUSINESS BLOCK.

Will Be Erected On Depot Street--Work To Begin In The Spring.

The recent announcement that McDowell Bros. would erect a large corrugated iron building in the near of their place on Depot Street for their livery business and the transfer of the property occupied by W. D. Spoon and Wingham Bros., to J. L. Norman, develops the fact that the old frame buildings on North Depot Street, will be replaced in the summer by a handsome brick business block. This property is owned by Messrs. Ward, Cranford, McDowell and Norman, and all have signified their intention of beginning the buildings in the early spring.

The transfer to Mr. Norman embraces the building occupied by W. D. Spoon's grocery and is 20 x 100 feet; the consideration being \$50 per foot front.

The proposed block will extend from the corner of North and Depot Streets to the Morris Livery Stable.

MARRIAGE ANNOUNCEMENT.

Mr. Hauser and Miss Annie Tomlinson Will Wed In February.

The following cards received in Asheboro will be interesting:

Mrs. Allen J. Tomlinson requests your presence at the marriage of her daughter, Annie

to Mr. Charles Merrimon Hauser Tuesday evening, February twelfth nineteen hundred and seven at seven-thirty o'clock Friends Church High Point, North Carolina.

Miss Tomlinson has a host of friends in this city where she was, until the close of the fall term, a teacher in the Asheboro Graded School. She is a social favorite here as well as in many sections of the state where she is known.

MR. L. D. MOODY.

Visiting Relatives in Randolph and Adjoining Counties.

Each year North Carolina receives as guests hundreds of our sons who have gone to distant States, where their worth has been rewarded with social and financial success.

Among those who have visited friends and relatives in Randolph and adjoining counties this fall and winter is Mr. L. D. Moody, of Indianapolis, Ind. who has been visiting in Asheboro this week.

Mr. Moody was born in Moore county, and was a son of Anderson S. and Sarah Shamburger Moody. He received a public school education in his native county, attending school until he was twenty years old. Upon leaving school he went into the mercantile business at Gray's Cross Roads, in this county.

He married Miss Mary A. Nixon, who was the daughter of Dr. Nixon, a well known physician of this county. She was educated at Guilford College, and is a woman of fine sense and takes great interest in social and religious affairs. Mr. and Mrs. Moody were married just before the war, and went to Kentucky by private conveyance, they remained there some time before going to Indiana, where they have since made their home. He taught school for several years and in 1874 moved to Indianapolis. Mr. Moody became special agent for the Aetna In-



MR. L. D. MOORE.

surance Company, of Hartford, Conn., in 1865, and after three years he went with the Home Insurance Company of New York, serving it five years in the same capacity. He then became special agent and adjuster for the Franklin Fire Insurance Company, of Philadelphia, in which position he remained for 32 years.

Mr. Moody has met with success in all he has undertaken, entering into his work with a zeal that won for him the full esteem of his company, and his genial disposition numbered all with whom he met as friends.

He has retired from business with a host of friends in many States. Mr. and Mrs. Moody have one daughter, Mrs. Palmer, who lives in New York and one son, who is

in the Philippines Islands in business. Mr. Moody has many friends who will welcome him to the place of his birth, "The Old North State."

RANDOLPH'S REPRESENTATIVES.

Always in Their Seats And Active In Committee Rooms.

Randolph has two Representatives at Raleigh, who are busy men, and actively engaged in work in the committee rooms.

Despite the hard work and long hours Messrs. W. P. Wood and W. T. Foushee are in excellent health. Col. Wood is serving on the following committees:

Immigration, chm; Counties, Cities and towns; Pensions; Finance; Penal Institutions and Appropriations.

Mr. Foushee is on the following committees:

Health; Education; Agriculture and Internal Improvements.

He is making a good member, and is recognized for his excellent judgment.

UNDER NEW MANAGEMENT.

W. J. Miller is President of the Home Building & Material Co., A. Ross is Secretary and Treasurer.

At a call meeting of the stock holders of the Home Building & Material Company, held a few days ago, the old officers resigned, having disposed of their stock to Messrs. Arthur Ross and W. J. Miller. The new officers of the company are W. J. Miller, President and Arthur Ross, Secretary and Treasurer.

Mr. D. Auman, who has most successfully managed the affairs of the company will devote the greater part of his time to the lumber business, operating a saw mill near Brower's Mills where he has extensive timber interests.

MILL LOSS ADJUSTED.

Insurance Men at Statesville Investigate Loss Caused by Burning of Statesville Flour Mills--Net Loss to Mill Will be \$20,000.

The insurance on the Statesville Flour Mills buildings, and machinery etc., has been adjusted as follows:

On the mill building proper \$4,000; on the machinery, \$20,500; on the elevator building, \$5,000; on the 20,000 bushels of wheat in the elevator, \$12,000, and in addition \$250 will be paid for damage to the warehouse building and \$1,600 for damage to the stock in the warehouse. This makes a total of \$43,350, and there is to be added the damage to the boiler and engine and the amount of the salvage, which will be several thousand dollars. It is estimated that the net loss to the mill will be \$20,000, but the greatest loss will, of course, be that from stopping the business.

Subscriptions Paid.

W. B. Fields, R. M. Bulla, Thos. L. Russell, H. O. Vestal, Mrs. C. M. Vestal, E. W. Callhent, Miss Ida Gray, L. D. McMaisters, D. C. Cox, W. W. Dunn, L. B. Saunders, B. F. Reynolds, A. A. Blue, E. L. Moffitt, P. M. Riley, J. F. Frogdon, A. B. Steel, E. L. Callcott, A. L. Crotts, O. D. Bean, O. R. Teague, R. O. Thomas, Brooks, J. R. Haron, L. W. Wise.

RALEIGH LETTER.

Members of House and Senate Hear Dr. Kilgo.

TERM ONE-FOURTH EXHAUSTED.

Railroads Receiving Close Attention--High Officials Will Probably Be Reduced to Two and One-half Cents.

Gorman News Bureau, Raleigh, N. C., Jan. 28, '07.

The biggest part of the Senate and House went to Edenton Street Methodist Church yesterday and again Sunday night and listened to Dr. John C. Kilgo, the president of Trinity College, deliver two powerful sermons. Every seat in the big church was occupied.

No man especially the well read and well educated man, can listen to a sermon preached by Doctor Kilgo and leave the church without having been benefited by it, and if his heart is right and his religion is the genuine article he is bound to be made the better Christian for it.

The Legislature today entered upon the fourth calendar week of the session, or the seventeenth work day, as the session of sixty days is more than one-fourth exhausted already. Considerable work was accomplished during the past week and the machinery of legislation is now in full operation. Among the bills that were defeated (and there were quite a number of more or less importance) were the Douglass anti-soft drink measure, especially aimed at "Coca Cola" and cutting out most of the popular soft drinks; the bill requiring court Judges to open courts promptly on Monday morning of the first week or pay to the clerk of the county \$50 fine; the Dickey bill ostensibly trained on the moonshiners of some of the western counties, but which authorized the searching of the private premises and home of citizens to see if they had more than one gallon of spirits in their possession for home consumption or otherwise. While this latter bill is practically dead as far as that particular provision and a few other objectionable features are concerned, it has been re-committed to the committee.

The appearance before the Legislative joint committee on railroads of a number of the leading railroad officials of the country during the last few days was the feature of the week. The presidents and other high officials of the Southern, the Seaboard, the Carolina and other companies are greatly interested in the pending legislative affecting the interests of railway companies and regulating the rates of freight and passenger transportation.

As stated in these letters last week it looks as though the passenger fares will be reduced to two and a half cents a mile.

None of the most important measures will be finally disposed of till late in the session as usually is the case--the revenue bill generally being about the last bill of greater importance passed. Just exactly what will be done about providing additional means for the care of the indigent insane does not yet fully appear.

ROUND DOZEN.

Book Club at Randleman Entertained by Mrs. McFayden.

A most enjoyable and interesting meeting of the Round Dozen Book Club, of Randleman, was held Friday afternoon at the home of Mrs. Paul R. McFayden.

For some time the club has been studying English History, and this meeting was of unusual interest and profit. Mrs. Annie Johnson read a strong article on "The Beginning of the War with Scotland" while Miss Louise Dicks gave a paper on the "Magna Charta" of England.

After the library and business program, a very interesting quotation contest was enjoyed, in which Miss Louise Dicks was awarded the prize, a box of Downey's bow bones.

Following the contest, dainty and delicious refreshments were served by the clever hostess, after which the club adjourned.

Wesley Wilkie, escaped and condemned murderer of Gate City, Va., was arrested at Salisbury last week. He is sentenced to hang February 21st.