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DR. J. H. DANIEL, Editor and Proprietor.

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THE FULLER TRIAL.

THE REMAINDER OF THE EVIDENCE OF THE STATE AND DEFENSE.

THE JUDGE'S CHARGE.

Miss Loula Steele, testified as follows: I live on Munford street at the foot of Haymount. I am a daughter of Mr. Sam Steele. I was engaged to be married to Fuller at the time of the homicide. I never at any time heard Fuller make any threat of violence against Parker. Miss Addie Chandler is a first cousin of mine. One night (the one spoken of by Miss Chandler) Miss Chandler had been to the Epworth League, and when she came back Fuller and myself were on the piazza. Fuller said he was going to see Parker as a gentleman, and if he would apologize to Miss Emma. This was on Thursday night. It was on Wednesday night or Thursday night probably that the conversation about the piano occurred. I don't know exactly what it was.

On cross examination Miss Loula Steele said: "Miss Chandler wanted Fuller to try her piano, as he was a good judge of them. Fuller said he would see Parker as a gentleman. He was going to see Parker about calling me a lie. Parker called me a lie Monday night. My sister first told me that Parker said I was a lie. It was about what I had said that my sister said she had been advised to cut me with a razor. The had said that if I held her to let Miss Chandler whip her she would cut me with the razor. Fuller said that if she danced around him with a razor he would whip her. On the Monday night spoken of I went on the piazza where Parker and sister were, and asked him if he had called me a lie. He asked me who told me so. I told him that was not answering my question; that I wanted to know if he had said so. He said 'no.' I pointed to my sister and said: 'There is my author.' She said something to him and he then said in a loud voice: 'Yes, I did call you one.' I turned to mother and said: 'That is, what we get for letting such a low-down man come to the house.' I don't think I called him poor white trash. I said that because I didn't think a gentleman would call a lady a lie. I didn't know much about Parker, but I have heard it said he was a nice young man. After this conversation that night Fuller and myself went down to my brother's on Hay street. Fuller had the conversation with Miss Chandler late Thursday night, the day before the homicide. Fuller did not tell me he had waited for Parker for three hours. He said he didn't see him all day; that he had sat on a piazza smoking but never saw him. I did not say to either my sister or Miss Chandler anything of the kind. Fuller did not say it, on the Sunday after the homicide nor any other time. I did not say in the presence of my sister or Mrs. Smith or any one in answer to Emma, saying 'the blasted my life,' that I begged him not to do it. I did not examine Fuller's pocket, nor did he turn them wrong side out, in order to see if he had a pair of knucks. I never heard Fuller make any threats about Parker. My sister and I did not always get along well together. I didn't want Parker to visit there and she didn't want Fuller to visit there. I have not seen Fuller since he has been in jail. I have had two notes from him. I am now staying at my brother's. On Wednesday night something was said about marrying me by Fuller. He offered Miss

Addie a home, as she had always been devoted to me. I don't remember that he said he would marry in a few days."

Eugene Watson was then examined and testified as follows: "I recollect seeing Fuller the early part of the day of the homicide. He met me the morning of the homicide. He told me to have his gun cleaned up, and to have some shell loaded, as he had an engagement to go hunting in the afternoon after bull-bats, and said he was then going down the street to see a man from Seventy-first to find out the best place to kill doves, as he wanted to go after them the next day. He asked for the gun he usually got." (This was corroborative of Fuller.)

S. P. Overbaugh testified as follows: "I recollect the night that Mr. Bethel had a difficulty with a colored man. Fuller, Mr. Newberry and myself and others went up the street with Bethel, as we heard that the colored man were going to attack him. I told Fuller the next day that the colored men had threatened him and said they were going to set for him and would get him. I saw Fuller about fifteen minutes after the homicide. He was very bloody. I did not examine his wounds, but thought he was hurt pretty bad."

On cross examination he said: "I am a friend of Fuller, and told him of the threats of the colored man. I did not examine him to find out where his wounds were. I think the Bethel fight was about one week before the homicide probably Saturday night." (This was to corroborate Fuller.)

Rev. A. J. McKelway was next examined and said: "I am a minister of the Gospel. I am of the Presbyterian Church. I saw Miss Loula Steele and Miss Chandler the day after the homicide. I went to Mrs. Steele's, as I had been sent for. Miss Loula was not in the room when I first went. Miss Loula was weeping very much. She seemed to be very much Miss Chandler tried to comfort her and said to her: 'Never mind, Mr. Fuller is a good man and a Christian man. It will all come out right.' I have known Mr. Fuller a year. His character is good."

Cross-examined. Mr. McKelway said: "I have heard Mr. Novitzky, say his character was good. I heard Mr. George Myrover, Capt. S. C. Rankin, Dr. J. W. McNeill and others say it was good. We were discussing him. This was in connection with his joining the church, which he had done sometime before. I have heard that Fuller was a boastful man, but never heard that he was an untruthful man, or the biggest liar in Fayetteville. I don't know the general character of Miss Chandler. I never saw her before that day. I have heard some discussion of it since she testified. She does not belong to my church. I have been here about two years."

On re-direct examination he said: "Fuller joined my church about the last Sunday in March 1893."

H. L. Cook, the next witness, said: "I was sitting in front of the hotel the night of the Bethel difficulty happened. I think it was Saturday night before the homicide. Fuller went there with several others. It was said that the colored men would attack Bethel on his way to his room. Fuller and others went with him. The general character of Miss Chandler. Miss Loula Steele and Mrs. Steele is good."

Ex-Sheriff R. W. Hardie was then examined, and said: "I know the general character of Emma Taylor. It is had, from general report."

The witness is here asked which is

the nearest way from her house to Mr. Rob Holland's on Dick street. He says the nearest route is down Ramsey and Green streets to the market house, down Person and then down Dick street. To go by the railroad the way she says she thought was the nearest way is about twice as far. The witness said he knew the general character of Fuller; that it is good. He had known him from childhood.

On cross examination the witness said: "I have not interested myself in working up the case for the defense. I am a warm personal friend of Fuller and I have talked with his counsel a good deal. I have not heard of his being a rowdy, and, on the contrary, the truth is that he had a desire to be considered the wit of the community, and is a very kind-hearted and barless man. I think a man who would carry deadly weapons is usually a coward."

Here Col. Argo asks the question if the witness thinks a man who carries a pair of knucks and pistol a harmless man.

Mr. Battle objects on the ground that the question is argumentative and not germane to the question of the general character of the defendant and the court excludes it.

Col. John A. Pemberton was next examined and said: "I live in Fayetteville. I came here in 1847. I have known Edward Jones Fuller since he was a boy. His general character is good. He had been book-keeper for me for ten years in my insurance business. I know that Fuller was in the habit of carrying a pistol. He has been in the habit of carrying a pistol since he has been with me."

On cross examination he said: "I have never known him to carry knucks. I have told him not to carry a pistol, and he gave me his reasons for it. (Here the State offers to ask again the question asked Sheriff about what he thinks of a man who carries a pistol and knucks.—Objected to and not urged.) I have heard Mr. A. H. Slocumb, Dr. H. W. Lilly and others say his character is good. I have not attempted to manufacture sentiment or evidence for him and neither have I contributed any money for his defence. I am a special friend of his."

On re-direct examination he said: "I saw Fuller the day of the homicide before it occurred. There was nothing unusual in his manner or actions."

Robbie Dye, the next witness, said: "I made an engagement with Fuller to go hunting the day of the homicide, in the afternoon. It was on the day before that I made the engagement."

Dr. H. W. Lilly, recalled by defence, testified: "I have known Fuller all his life. His general character is good. He borrowed a pistol from me a short time before this occurrence."

A. H. Slocumb testified as follows: "I have known Fuller for a great many years. His general character in the main is good."

On cross-examination he said: "I mean by saying in the main that he is a wag and it is not understood by people who don't know his peculiar style of talking. He has a lively imagination when he wants to outertain people. Never knew of his being a liar in any serious matter."

John Gill, colored, testified: "I was standing in the door of the brick building next above Mr. Watson's at the time of the homicide. I could and did see Fuller and Parker. There was no one between them and me. I saw no woman. Could have seen her if she had been there."

On cross examination he said: "I saw Parker on top of Fuller beating him and then saw the flash of a pistol. I didn't go down there immediately but did later when the crowd gathered."

Z. B. Newton, the next witness: "The general character of Mr. Fuller is good."

On cross-examination he said: "I think his reputation was that he carried a pistol; never heard of his carrying knucks."

Col. Pemberton, recalled, said: "I was present the Saturday night the difficulty happened between Mr. Bethel and the colored man."

Dr. W. McDuffie, recalled, said: "I treated Fuller's wounds with water and lotion. That was the proper mode of treatment. I stuck a small piece of plaster on his nose to hold the parts together. Fuller's general character is good."

On cross-examination he said that defendant's nose was moshed by an abrasion.

R. M. Nimocks was the next witness, and said that the general character of E. J. Fuller was good.

D. H. Ray testified that the general character of Fuller was good. The defence here closed.

CLOSING TESTIMONY FOR THE STATE.

Chas. G. Cain, clerk of the court, testified:

"I know Miss Addie Chandler and saw her at my house on Sunday evening after the homicide. She had my wife to call me in the parlor. She said she wanted to tell me something. She repeated to me in substance about what she testified to me on the stand. She said that Fuller told her he was going to tell him what she said and lots more than she had said. She also said he said if he resented it he was going to slap him in the face and spit in his face, and if he resented that he was going to shoot him or kill him. She didn't exactly remember which. She said she told him he would be hung. Miss Chandler's character is good."

On cross-examination the witness: "The general character of Miss Loula Steele and Mrs. Steele is good. Miss Emma Steele and Miss Chandler stayed at my house after the killing, and went to the funeral from there on Sunday afternoon."

T. C. Vann, was then examined and said:

"I saw Parker after he was killed, I suppose about five minutes after he was killed, while he was lying on the ground. He had a plain gold ring on the little finger of his right hand."

W. W. Cole, then testified and said:

"The general character of Miss Chandler is good, and on cross examination he said the general character of Miss Loula Steele and Mrs. Steele was good."

J. M. Lamb then testified to the good character of Miss Chandler and on cross examination said the general character of Miss Loula Steele and Mrs. Steele was good.

Miss Addie Chandler, recalled, said: "I heard Miss Lanla say Thursday night before the homicide on Friday that Fuller watched for Parker three hours on that day, and that the coward either had his dinner sent him or jumped Mr. Walton's back fence. Fuller was not there at the time, but had been that night."

On cross-examination, Miss Chandler said:

"I remember Mr. McKelway coming to the house. I don't remember telling Mr. McKelway that Fuller was a good man and a Christian and it would come out all right. I don't deny it, but simply say I don't re-

member it."

Miss Emma Steele, recalled, said: "I heard Miss Loula, my sister say on Thursday night that Fuller said he had watched for him that day three hours, and that the coward had his dinner sent him, or had climbed Mr. Walton's back fence. My sister was in her bed room at the time she said it. Miss Addie Chandler, my cousin, was in the room at the time. Fuller had gone. On Sunday afternoon, after the funeral, I said in the presence of Mrs. Althe Smith, that it had blighted my life. My sister said: 'Oh, Emma, I begged him not to do it; that I would have done anything to prevent it.' She spoke very loud."

On cross examination she said her sister was very much distressed at the time.

Needham Ingram testified as follows:

"I live in Fayetteville. I knew Parker eight years. I weighed Parker about ten days before he was killed, and he weighed 155 pounds. He was about 25 years old."

continued on second page. Cross-examined, he said Parker was a stout man, but was dyspeptic; that he was a better man physically than Fuller.

Mrs. Alice Smith was next examined, and said:

"I am a teacher in the graded school. I know Misses Loula and Emma Steele. I heard Miss Emma Steele say on Sunday afternoon after the funeral of Parker; 'This thing has blighted my life.' Miss Loula exclaimed: 'I begged him not to do it.'"

On cross examination Miss Smith said: "I am not on good terms with Miss Loula Steele. I was friendly, but on account of the way she treated me am not now. I have not been sick. Have been able to attend to my duties as a teacher. I sometimes use narcotics. Sometimes have used laudanum, morphine, etc. I do now when I am sick and need it. I did not write for the press anything about the killing. I never wrote even the resolution of a Sunday school in regard to Parker's death. I am not related to any of the parties."

On re-direct examination the State proposed to ask if the resolutions of the Sunday school were not laudatory of Parker. Objected to by the defense and excluded, as the defense had not called it out.

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