

# The Watauga Democrat

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## COLE GETS LIBERTY AT WILKESBORO

Wealthy Slayer of Bill Ormond Is Adjudged Sane Man and Released in Neighboring Town.

William B. Cole, wealthy cotton manufacturer who shot and killed Bill Ormond last August went from the Wilkes county court house at 3:30 o'clock Tuesday a free man. He was ordered to Wilkesboro after his acquittal last week by Judge T. B. Finley for the purpose of establishing the sanity of the defendant. The decision of the Judge was: "I cannot send this man to the insane asylum, for from the evidence before me he is a sane man."

Cole left immediately with his family for Greensboro where he spent the night and will leave shortly on a rather extended vacation.

We are copying a dispatch from Rockingham under the date of the 12th, which will give our readers an idea of the feeling there after the trial, and will furnish also some information to those of our subscribers who do not take daily papers, and have therefore been in poor position to keep up with the case.

It so far as this town is outwardly concerned one would never imagine that barely 24 hours ago there came to a conclusion a homicide trial that was epochal in the history of North Carolina, and was of nation wide interest. But while the outward calm prevails, there is undoubtedly existing a feeling both for and against the act of W. B. Cole that knows no neutral ground.

One must be either for or against. And yet the chief figure in this entire affair, Mr. Cole himself, would doubt be the last person to hear notice. In jail today he is as calm and confident as he has been since he shot and killed Bill Ormond here August 15—satisfied in the assurance that he acted on two premises; to defend his own life, and to protect his family from alleged slanders. And while perhaps 50 per cent of the town's population may not side with him, yet they bear no ill will to him personally but rather to his act. For W. B. Cole, regardless of his worldly goods, bears the imprint of an upright life, a devoted husband, model father and unassailable citizen.

And on the other hand the young man he killed, W. W. Ormond, during his five years' residence here, lived a life against which aught cannot be spoken. His intimate friends attest his integrity, the clean life he lived and his abstemious habits.

The verdict of not guilty rendered by the Union county jury at 10 o'clock Sunday morning, after wrestling with a decision for 22 hours, was based solely on the slander phase of the unwritten law. The jurors privately admitted that they simply arrived at a decision by placing themselves in Mr. Cole's shoes. But since the law does not recognize the unwritten law the verdict in the eyes of the law revolves itself upon the transitory insanity plea. And now it is this insanity matter that is to engage the attention of the attorneys at Wilkesboro.

Interviewed today Solicitor Phillips expressed indignation over the "not guilty" verdict. He asserted in vigorous fashion that if Mr. Cole is now allowed to go free, after having been acquitted on the grounds of insanity, that the responsibility must rest solely upon the trial judge.

"I want the people of North Carolina to know just where the responsibility now rests," stated Solicitor Phillips.

"The state is indignant over the verdict, and as solicitor of the 13th judicial district, I shall present to Judge Finley the evidence to insanity as offered by the defendant during the recent trial. The state takes the position that if the defendant was insane at the time he committed the crime, that he is now insane, for the simple reason that the law does not recognize any temporary, transitory or emotional insanity. But on the contrary does recognize a diseased condition of the mind.

"Further," continued the Solicitor "the law contemplates that if a man is acquitted of the high crime of murder on the grounds of insanity he is dangerous to himself, to his family and to the community in which he lives, and such acquittal puts the responsibility on the trial judge that tried the case of committing him to

## New Secretary of War?



Rumors from Washington indicate Secretary of War John W. Weeks will resign his post, and that he will be succeeded by Dwight D. Davis, who has so capably executed the duties of Secretary during the absence of his Chief, that President Coolidge will consider him as new head.

## NORTHWESTERN BAPTIST PASTORS' CONFERENCE

Boone, Monday October 19, 1925 at Baptist Church

10:30 a. m. Devotional, R. C. Eggers

10:45, New Testament Cooperation E. G. Davis, Mt. Airy

11:30, Fellow Workers with God S. C. Blackburn, West Jefferson

12:15, Season of Prayer, K. D. Stukenbrok, N. Wilkesboro

12:30 p. m. Dinner in basement of the church

1:30 p. m. Devotional, L. A. Wilson, Zionville

1:45 p. m., our present cooperative Program:

1. What is it? T. S. Crutchfield, Booneville.

2. Is it Spiritual? J. M. Hayes, Elkin

3. What it should Accomplish W. L. Griggs, N. Wilkesboro

2:45 p. m. Miscellaneous

All the pastors and preachers of the county are invited to come. The Baptist church extends you a cordial welcome. The women also have a meeting in connection with this program. Will be glad to have laymen attend.

Committee.

the hospital for the dangerous insane for the protection of society at large."

A development of the day is active speculation as to whether Rev. A. L. Ormond as administrator of the estate of Bill Ormond, will file a civil damage suit against the defendant. Should it be adjudged as a fact that the defendant shot Ormond as a result of insanity rather than in self-defense, lawyers here believe the estate of the deceased young man has grounds for a fight. Whether the Ormonds will take this means of continuing a fight for what they may consider to be essential justice is one which is now in the speculation state. Clyde Douglas, of the firm of Douglas & Douglas, of Raleigh, suggested as the firm to lead this line of action, said in Rockingham that his firm had not been approached on the matter and that so far as he knew Mr. Ormond had not considered the question.

The absorbing aftermath of the trial is the question as to what statements Elizabeth Cole's letters to Bill Ormond contain. Two reputable physicians staked their reputation that she was a woman of virtue. As against this is the reiterated assertions of state lawyers that if they had been permitted to introduce the letters they would have thrown an entirely different light on the matter. They attempted to suggest to the jury that the quoted statements in Bill Ormond's slander letter were taken from another letter. It was announced after the trial that the letters would never be published. As against the intimations by the state forces, the Cole lawyers, speaking for themselves and for Elizabeth Cole, requested that the letters be placed in the evidence, declaring that the letters contained nothing that they feared to face.

## JAS. B. DUKE DIES AT NEW YORK HOME

North Carolina Power and Tobacco Magnate Succumbs to Physical Breakdown Following Long Illness

New York, Oct. 10.—Funeral services for James B. Duke will be held at the New York home Monday afternoon at 4 o'clock. The body will be taken by special train to Durham, N. C. where interment will take place Tuesday afternoon in the family mausoleum.

New York, Oct. 10.—James B. Duke, tobacco manufacturer, died tonight at 6 o'clock at his home after an illness of several weeks following a nervous breakdown.

In one of his last statements before his death, Mr. Duke said his passing would have no effect on the future of his varied interests, as all were in good hands.

For several years Mr. Duke had not taken an active part in the conduct of the many enterprises in which he was interested. Actual management was entrusted to men he had trained, although he frequently went to his New York offices and kept in close touch with business matters.

Mr. Duke always maintained close relations with the farmers whose products he purchased. In his early years as a tobacco manufacturer he instructed his buyers to pay the farmers enough for their crops to assure a living for them notwithstanding the market conditions.

He became extensively interested in the development of hydro-electric power and established large plants in sections of his native state of North Carolina. Recently he spent large sums in an effort to discover a method of producing cheap fertilizer for the benefit of the farmer.

Last year he established the Duke foundation, setting aside \$40,000,000 under its terms Trinity College at Durham, N. C. changed its name to Duke University, and an active program of expansion was begun.

James Buchanan Duke was born in 1856 near Durham, N. C. and received his education in the country schools. His first connection with the tobacco industry began a few years after the civil war when his father Washington Duke, established the plant which proved to be the nucleus of the huge tobacco firm in later years.

The Duke firm later became an institution known around the world. The father took his two sons, Benjamin N. and James B. Duke into the business with him, when James, the younger son was 18 years of age, his father turned the active management of the business over to him. The business grew rapidly and in 1890 Mr. Duke formed the American Tobacco Co., taking in numerous other concerns. Some years later the company was attacked at a monopoly and in 1911 following suit by the government under the Sherman anti-trust law, was dissolved. Mr. Duke, who had been president of the American Tobacco Company, became chairman of the board of the British American Tobacco Company, one of the subsidiaries continuing in this office for a number of years.

Meanwhile he had become more and more interested in the development of water power and gradually served his active connection with the tobacco business. His efforts resulted in the organization of what is now the Southern Power System in North Carolina and South Carolina and the harnessing of the Saguway river in Canada. He was a heavy investor in

southern cotton mills which made use of the power developed by his hydro-electric plants, and in electric railways serving the territory. The development of the water power of the Saguway river was part of Mr. Duke's plan for the manufacture of cheap fertilizer. He had hoped to work out a process for obtaining phosphate from the rock by means of electricity, a method which he believed would be much cheaper than the acid method generally employed. To further his efforts along this line, Mr. Duke acquired a Florida phosphate mine and also became interested in the American Cyanamid company a successful nitrogen producing company. While the whole scheme was not immediately successful due to the fact that the process of extracting phosphate by electricity was not commercially successful Mr. Duke had not abandoned faith that it ultimately could be worked out.

In 1924 he established the Duke endowment, for which he set aside \$10,000,000. This was the crystallization of ideas which Mr. Duke had had in mind for many years. The trustees were empowered to expend \$6,000,000 in acquiring lands, erecting buildings and otherwise extending the activities of Trinity College, an institution in which the elder Duke had been much interested. The trust deed provided that the name of the institution should be changed to Duke university as a fitting memorial to the father, Washington Duke and the family.

Thirty two per cent of the income from the trust fund was given to the University, a like portion was set aside for maintaining and securing hospitals primarily in the States of North Carolina and South Carolina, and other sums for the benefit of white and negro orphans in the two States, for aid in the construction of Methodist Episcopal Churches in rural sections of North Carolina, for pensioning superannuated preachers for the use of Davidson College at Davidson, N. C., a Presbyterian institution; for Furman university, a Baptist institution at Greenville, S. C. and for the John C. Smith University at Charlotte, for negroes.

For many years Mr. Duke made his home at Somerville, N. J., where he maintained an estate of some 3,000 acres which until recently was opened to the public. The estate was adorned with massive bridges, more than 40 fountains and numerous statues. Trees and shrubs were brought from all parts of the world and placed about the grounds. He also had a residence in New York City, one at Newport, R. I. and still another at Charlotte, where he often spent the winters.

Always an ardent Republican and believer in high tariff, Mr. Duke was a great admirer of President McKinley. A mammoth bronze statue of McKinley stands in a conspicuous position on Duke farms, the Somerville, N. J. estate.

Mr. Duke died in the presence of his family and Dr. Robert H. Wylie who has attended him through his long illness. The physician said that the end came as a direct result of bronchial pneumonia contracted after the breakdown.

Mr. Duke had fallen into a state of coma after several days of fighting for life. At times he showed such improvement it was thought he would recover.

He is survived by his widow, who was Miss Nansine Holt, a daughter Miss Dorris Duke, a brother, Benjamin Newton Duke, and a niece Mrs. Anthony J. Drexel-Biddle Duke, who before her marriage was Miss Mary Duke.

## BRANSON BENTON HAS SURRENDERED

Notorious Wilkes Outlaw Yields After the Sheriff Fails to Catch Him Is Held Under Bond.

Wilkesboro Dispatch of the 13th to Winston-Salem Journal

The surrender this afternoon of Branson Benton, touted as a member of the alleged "big six" liquor gang ended a state wide chase after the breach warrants issued by Judge A. M. Stack and a reward of \$300 offered by the county and state for his capture after he was outlawed, and thus was written the most sensational chapter in the history of blockading prosecutions which gave Wilkes county its second theme of the day.

Benton had been sought since Judge Stack held court here last August, when M. P. Masten, a witness in a case against Benton, broke down upon the witness stand and confessed that Benton and T. C. Foster, Benton's father in law, had given him five hundred dollars to stay away from court and not testify against Benton, Judge Stack sent Sheriff Elledge with Masten to get the \$300 note and the \$200 cash. Both were impounded in the clerk's office. Then at a later date while he was holding court at Boone, Judge Stack issued another bench warrant for Benton, and placed it in the hands of Constable Steve Estep, who also failed to serve the paper.

It was following a report made by Estep to Judge Stack, while the latter was conducting court at Foyersville, that the jurist issued the proclamation outlawing Benton. Previously Judge Stack had ordered that if Benton was caught a bond of not less than ten thousand dollars should be required.

This afternoon Benton came in and gave himself up to Sheriff Elledge. He filed a justified bond of \$10,000 for his appearance at Superior court.

Benton is not a bad man as some have understood. It is said that he is a big hearted fellow, who fell into the illicit liquor traffic by reason of surrounding conditions and environment entirely beyond his control. Back in the good old days his people made liquor that government gaugers passed up as "pure as mountain dew," and been reared in a locality where corn and apples and peaches were considered legitimate provender, if distilled, he just naturally got into the habit of making it. In the years that have followed he has accumulated considerable property and is educating his children and rearing a family of fine boys and girls.

## FRIDAY CLUB NOTES

A called meeting of the Friday Afternoon Club was held at the home of the President Mrs. F. A. Linney Thursday afternoon. At this time the following officers were elected: Mrs. B. J. Council, President; Mrs. O. L. Hardin, Vice President; Mrs. J. D. Rankin, Sec. and Treas., Mrs. Tracy Council, Reporter.

A pleasant hour was spent discussing plans for the coming year, after which Mrs. Linney served ice cream and cakes.

The time of the next regular meeting was changed on account of revival services at the Baptist church and the club will meet October 30 with Mrs. J. D. Council.

## BOONE BAPTIST CHURCH

Revival services running this week. Services every day at 3 p. m. and 7:30 p. m. Prayer meetings for men and women meet fifteen minutes before the evening hour. Services will likely continue through Wednesday night of next week.

Dr. Jackson is delivering great messages at every service. Interest in the meeting is growing. The meeting affords a great opportunity not only to hear great messages from God's word, but to witness for Christ. Let us join our hearts together for a mighty spiritual revival.

The pastor requests all Christian people who read these lines to pray for the meeting.

## TEACHERS MEETING LARGELY ATTENDED

Practically all the School Teachers of the County Present Saturday—Interesting Program Presented.

The second meeting of the teachers was on Saturday October 10th, and was very well attended by all the teachers of the county.

The program was as follows: First was an address by the State Health Nurse. She gave some helpful points as to how teachers can improve health conditions in the community in which they teach.

Second "How may Writing Best be Taught in the Public Schools" was discussed by Mr. Roby Vines.

Third, "Laying the Foundation for the Greatest Thing We Teach" was discussed by Professor Spainhour and Miss Hedrick.

Fourth, "Is it Advisable to hold the Primary Grades Only Half a Day at a Time" was discussed by Miss Annie Stanbury. It was ordered that her address be published in full in the Watauga Democrat.

Fifth, "How Teachers Can Best Care for Public School Property" was thoroughly discussed by Miss Theodosia Watson.

Sixth, "What Should be the Minimum Requirements of the Seventh Grade" discussed by Professor W. Y. Perry, Superintendent Hagaman and others.

Seventh, Address by County Superintendent Smith Hagaman, outlining a number of things for teachers to do to hold attendance, etc.

W. Y. Perry was chosen to succeed himself as chairman of the teachers assembly and Miss Annie Stanbury was elected Secretary.

Professor Sam Horton chairman of the meeting appointed the following committee to prepare a program for the next teachers meeting.

Miss Hydrick, Mr. Tugman, Mr. Henry Hardin, Miss Sue Taylor and Charles Younce.

Benediction by Professor Spainhour.

## DEEP GAP MAY GET BAND MILL OTHER INTERESTING NEWS

It is rumored here that a large band mill may be built at Deep Gap by some lumber company. We hope that this project may mature in the near future. It will mean much for this section.

Mrs. J. E. Luther has been very much indisposed for several days recently and confined to her bed part of the time. She has improved very much at this writing and able to sit up again.

A number of cases of scarlet fever in mild form have again broken out at this place, but so far it has not affected the attendance of the consolidated school at Deep Gap, so one of the teachers tells the writer.

Pastor Ed Hodges filled his regular appointment at the Gap Creek Baptist Church Saturday and Sunday. On Saturday Rev. Marshall Watson of Darby delivered a sermon at this church which very much pleased his congregation.

The chestnut crop here was a bumper one. The market started out with 15 cents per pound and ended with 2 cents a pound. Mr. Miller, our local merchant has bought and shipped a large quantity of them.

The folks around Deep Gap are certainly eating beef. There has been a large number of beefs killed here. The low market has turned this section almost into slaughter yards.

It pleases us very much for our editor to spin down into this section and others nearby. Everything he says and does catches our attention. Mr. Rivers is a good booster for this and other communities.

A large amount of produce is being hauled away from this section. Cabbage for a while was in good demand, but the price has gone down in many instances to one cent a pound. Apples are bringing in the orchards 60 to 75 cents a bushel and are in good demand. This has been a hard year on farmers here and the farm products are very limited indeed.

Mr. B. L. Greene of Boone R. F. D. 2 was a visitor in this section on Saturday and Sunday at the home of Alfred Watson.

What has become of the good correspondents of the Democrat? Do not remain dormant and let Cove Creek be the only place that has a correspondent that never drops out.

## Heap Big Redskin "Tiny" Roebuck



The famous Haskell Indian at Lawrence Kas., lay claim to the biggest football player of the current season in "Tiny" Roebuck, 6 ft. 8 in. and weighing 240 lbs. At tackle he sweeps two opponents in every offensive play. The team will travel 20,000 miles in playing 14 games, also thought to be another record.