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ASHEVILLE, N. C., TUESDAY AFTERNOON, OCTOBER 26, 1909.

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THE TESTIMONY IS AT VARIANCE

Mr. Collins Says That Mr. Bunting Was Shot First; Jones and Gowan Say Collins Was Shot First.

NEGROES ARE PUT THROUGH SEVERE CROSS EXAMINATION

They Did not Weaken, However, With Respect to Any Important Features of Their Testimony.

Burley Gowan, the colored porter, and Clem Jones, the colored dishwasher at the Gladstone hotel at Black Mountain at the time of the fatal shooting of John Hill Bunting on the night of August 8, were the star witnesses for the state this morning in the trial before Judge Adams in the superior court of F. C. Watkins, charged with murder in the second degree for the shooting and killing of Mr. Bunting. The two witnesses gave detailed and lengthy statements of the incidents leading up to the appearance at the hotel of Mr. Watkins, and told what transpired after the officer arrived.

Incidentally, and notwithstanding Mr. Collins' testimony yesterday, to the effect that Mr. Bunting was shot first, and crumpled up on the floor, and that he (Collins) was shot second, that the officer placed his pistol against Collins' chest, the two negroes testified that Mr. Collins was shot first; Gowan testifying that Mr. Collins was shot and that witness was shut out of the room; that he didn't see Mr. Bunting shot.

Jones Confirms Gowan. Jones also testified that Mr. Collins was shot first, and Mr. Bunting second; that when Mr. Collins was shot he was standing in front of Mr. Watkins with his right hand raised, but not in a menacing manner; that Mr. Watkins' pistol was within perhaps 18 inches of Mr. Collins' body. Jones further testified that the first shot was fired, and the light went out, at one and the same time. Jones and Burley were put through a severe cross-examination by Mr. Craig, but not once in the essential details of their testimony was their evidence shattered.

Mr. Thompson is Called. When court opened for the morning session H. H. Thompson was called to the witness stand. Mr. Thompson testified that he lives in Hillsboro; that he has known Mr. Collins for 30 years, and that Mr. Collins' general character is good.

Testimony of Gowan. Burley Gowan was called. He is a negro of the ginger-cake type, with apparently ordinary intelligence. He testified that he was porter at the hotel at the time of the shooting; that he had been to church; returned about 1 o'clock; went to his room 20 steps from the hotel; heard no noise; was fixing to go to bed when Mr. Manly, the proprietor of the house came and called for Clem Jones. Witness said Clem did not come and Mr. Manly asked witness to go and get Mr. Watkins, the town constable. Witness met Clem and they went together to Mr. Watkins' home, some little distance away, knocked on Mr. Watkins' door three or four times before the knock was answered.

Went to the Door. Mr. Watkins went to the door and asked what was wanted. Witness said that Mr. Manly had sent for him to go to the hotel and quiet men making a disturbance. Mr. Watkins dressed and starting with Clem and witness to the hotel, asked if Mr. Manly wanted him to demand the peace or lock them up. They saw Mr. Manly when they first reached hotel. Mr. Manly told Mr. Watkins to go and demand the peace; witness heard no noise; before reaching the hotel. Mrs. Woodruff poked her head out of a window and hoistered to Mr. Watkins asking him to hurry up saying "for they are out in the hall now."

The officer, witness and Clem Jones went upstairs and to room 17, when they got into the hall didn't hear anything. Mrs. Linville was in the hall; only person in the hall when officer went up. Officer and witness went to room No. 19; Mr. Watkins knocked; they said "Who's that?" Mr. Watkins said, "a policeman." The door was opened and they said "Come in." Witness saw pistol after officer struck match; match went out and officer told Clem to light the lamp. Clem lit the lamp and of fier asked the two men, "whats all this fuss about?" One of them replied that there wasn't any fuss; that "we were just talking to ourselves." Men were sitting up in bed; officer told them to get back in bed; talked loud to the men; Collins tried to get Bunting down; Collins standing up; had his hand raised; not in a menacing attitude; just talking to Watkins; the gun fired, and light went out; men wasn't doing anything; did not see either men put their hands on officer; Collins was shot first; officer's weapon was put to foot and a half away from Collins' body; Collins fell back; Clem shot and witness, who had been standing in doorway, was on outside. Witness didn't see second shot; didn't see Bunting shot; heard shot and heard Bunting say: "Oh, my

MRS. R. M. CADWALLADER, JR., WHO WAS MISSE M. ROEBLING



There was a brilliant wedding at Trenton, N. J., when Miss Emily M. Roebling, eldest daughter of Charles G. Roebling, president of the John A. Roebling Sons company, was married to Richard McCull Cadwallader of Philadelphia. The ceremony was performed by the Rev. Hamilton Schuyler, in Trinity Protestant Episcopal church, and was followed by a reception and breakfast at the home

of the bride's father, in West State street. The church and the house were thronged with guests from that and other cities, many from Philadelphia and New York coming in their automobiles. The bride's gifts represent a fortune, among them being a check from her father for an amount which has been variously reported as high as \$250,000.

God, he's shot me right through the stomach." Court Asks Question. At this point Judge Adams interrupted to ask: "Who did he say was shot first?" Mr. Craig—He said that Collins was shot first.

Mr. Settle—Yes, sir; that is what we understood him to say. Witness continuing, and in reply to a question, said that at the time of the shooting neither of the men were doing anything, that they did not place their hands on the officer; that the men were in their night-clothes; if either of them had anything in their hands witness didn't see it; witness was right there.

The Cross-Examination. On cross-examination by Mr. Craig the witness at first denied that he had made a statement before the coroner; he seemed a bit confused and evidently did not know just what was being asked him. "In an instant, however," he said that he did testify before the coroner. Burley said he told the coroner and the reporter who talked to him at the hotel that Collins was shot first. Once, while Mr. Craig was firing questions at the witness, and insisting that the answer at the coroner's inquest did not tally, Burley blurted out: "I jest told de coroner as nigh as I could direct myself; I was pretty badly skeered."

Witness denied that in returning to the hotel with the officer that the officer and Clem and witness struck a trot; that they ran toward the hotel. Witness said they just walked; that they walked pretty fast. Witness denied that he had told Mrs. Crawford that Watkins had shot two men; that they jumped on him and tried to take his pistol, and that Mr. Watkins had to shoot.

Only Got a Nickel. Witness told of the visit of the newspaper reporter to the hotel; said that he had been given no money; said that the nickel that he had told Mrs. Crawford that Watkins had shot two men; that they jumped on him and tried to take his pistol, and that Mr. Watkins had to shoot.

Court Raps for Order. Clem Jones was called to the stand. Clem is a tall, slimly-built negro; black as the ace of spades; thick-lipped and a genuine eastern Carolina "nigger." Several times during his testimony he created loud laughter in the court room, and twice Judge Adams was forced to rap sharply for order, and to warn spectators and court attendants that better order must be kept; that in short the laughter must be "cut out." Once Clem, when asked about being arrested at Mr. Olive, and running from a man, had the court house crowd laughing. He said that he was just arrested for nothing; that he wasn't no officer; that he was told to "run, nigger"; that someone else says: "run nigger" and, Clem said: "This nigger jest run."

Clem told about being at church on the night of the killing and returning to the hotel. He also told about going for the officer and reaching room No. 19, where the shooting occurred. Witness said that the officer knocked; that he was asked "who is that?" and

FIVE CHILDREN BURN TO DEATH

All Inmates of Nursery of Presbyterian Orphanage at Lynchburg—Their Rescue from the House Impossible.

HEROIC WORK WAS DONE BY MRS. PRIESTLY, THE COOK

One Little Girl Returned, for Her Sister, and Perished—No Men About Place—Older Boys Helped Rescue Work.

Lynchburg, Va., Oct. 26.—Five children, all inmates of the nursery, were incinerated in a fire which totally destroyed Shelton cottage, the home of girls at the Virginia Synod Presbyterian Orphan home, early this morning. The dead: RUBY MOOREFIELD of Lynchburg; LUCILE MOOREFIELD of Lynchburg; MAMIE REYNOLDS of Bath county, Virginia; MARIE HICKMAN of Campbell county, Va.

The children were all in the second floor of a wing of the building and they were caught by the fire in a manner that made their rescue impossible. Mrs. Priestly, the cook, who was aroused by the roar of the flames. When she saw that it was impossible to get the children out by the staircase she rushed to the third story and brought 15 children downstairs to the second floor, leading them to a veranda, top where they were taken down a ladder, several of them dropping into the outstretched arms of older boys in the institution.

Escapes Miraculous. Mrs. Priestly, after saving the children, had to jump for her life, sustaining a dislocated shoulder, a scalp wound and an injury to her back. She will recover. All of the escapes were miraculous. Superintendent Fleming was away at the time of the fire and there were no men about the house. The women could not save those who perished, for they barely succeeded in saving 24 of the other girls.

MASONS OF PROMINENCE TO ASSEMBLE NOV. 8TH

General Grand Council and Chapter Will Meet in Savannah—Big Preparations.

Savannah, Oct. 26.—Five hundred prominent Masons of the United States and American possessions will come to Savannah for the tenth tri-centennial assembly of the General Grand Council, Royal and Select Masons of the United States and the thirty-fourth tri-centennial convocation of the General Grand Chapter, Royal Arch Masons of the United States, November 8 to 12 inclusive. Governor Brown of Georgia will extend an official welcome on behalf of the state, while the city, besides being represented by its mayor, George W. Fiedman, will, through elaborate decorations upon the principal business streets and upon many private homes, attest its welcome.

After the business session of November 12 the visitors will be entertained at night with a banquet on Tybee island. At this five prominent Masons will be heard: The General Grand Chapter will be represented by either General Grand Scribe Witt or General Grand R. A. Captain Kubun. Other speakers will be Rev. M. Ashby Jones of Columbus, Ga.; Rev. Richard Wilkinson of Augusta, Rev. C. H. Strong of Savannah and P. A. Stovall, editor of the Savannah Press. As souvenirs at the banquet each guest will be presented a gold and enameled scarf pin, showing the seal of Savannah.

CONTENTION OF H. K. THAW OVER- RULED BY APPEALS COURT. Tribunal Decides That Thaw's Commitment to Waterway Asylum Was Not Illegal.

Albany, N. Y., Oct. 26.—The contention of Harry K. Thaw, slayer of Stanford White, that he was illegally committed to Matteawan state hospital for the criminal insane is overruled by the New York Court of Appeals.

ASSISTANT HOTEL STEWARD IS GIVEN MEDAL OF HONOR



CIVIL MERIT MEDAL AND CROSS OF MERIT
LOUIS HORVATH

New York, Oct. 26.—In recognition of the aid he has given to immigrants from his native country, Louis Dudwig Horvath, an assistant steward at the Hotel Astor, has received the cross of merit from Emperor Francis Joseph. The distinction paid to Horvath came as a great surprise to him and to his friends, the notification being made officially through Consul General Mandoljovitsky of Austria-Hungary. Friends of the honored man stormed him with congratulations, and plans are already under way by those prominent in several Austro-Hungarian societies in this city to give a reception to Horvath, probably selecting the Hotel Astor as the scene for the festivities.

Horvath already possesses a medal from official circles of his country. In 1909 he was presented with a merit medal in appreciation of his work among his countrymen in this city. His flagship landed him at Cape Girardeau bright and early this morning.

Reached Cairo at Noon. Cairo, Ills., Oct. 26.—President Taft and party arrived here at noon. Found with Throat Cut in Her Room at Hotel. Later Dies—Was Mrs. Beauchamp of Boston—Discovery Made by Her Private Physician.

MILLS WILL NOT CLOSE IN THE UNION SECTION. Report Denied—All Nine Mentioned in Report Except One Will Run on Full Time.

Union, S. C., Oct. 26.—With their products sold ahead for several months, it was denied today that nine cotton mills of this county would close down on account of present high prices of cotton.

National W. C. T. U. Elects Officers. Omaha, Neb., Oct. 26.—The convention of the National Women's Christian Temperance Union elects officers as follows: Mrs. Lillian M. Stevens of Maine, president; Mrs. Francis P. Parks of Illinois, corresponding secretary; Mrs. Elizabeth Preston Anderson of North Dakota, recording secretary; Mrs. Sarah Hoge of Virginia, assistant recording secretary, and Mrs. Elizabeth W. Hutchinson of Illinois, treasurer.

Athens College Not Closed. Athens, Ala., Oct. 26.—Athens college for young women has not been closed, as reported last night, on account of mysterious sickness.

New Orleans, Oct. 26.—Already the vanguard of thousands who are coming to welcome President Taft and to attend the Lake-to-the-gulf, deep-waterway convention, beginning here Saturday, is arriving. That the gathering will be one of the largest in the history of the south is fully indicated.

PRINCE ITO IS ASSASSINATED

Japan's Foremost Statesman Was Shot Today by a Korean, Who Was Actuated by Revenge.

SEVERAL OTHERS WERE SHOT AT THE SAME TIME

The Tragedy Occurred in the Railroad Station at Harbin, as Prince Ito Was Leaving Car.

Harbin, Oct. 26.—Prince Hirobumi Ito, former Japanese president general of Korea, and probably Japan's foremost statesman, was assassinated here this (Tuesday) afternoon by a Korean who had followed him here for the express purpose of killing him. The motive of the assassin was revenge. The assassin was arrested, shot at the station. Almost immediately on his arrival here, and just as Prince Ito left the railroad car at the station, the attack was made upon him. The venerable statesman, accompanied by the Russian minister of finance, was starting to inspect the guard of honor, drawn up along the platform, when the pistol shot was heard. Several more shots were fired in quick succession, the bullets striking the prince in the back.

Prince Ito fell mortally wounded. Three of the prince's companions also were wounded, bullets striking Japanese Consul-General Kawakan, General Manager Tannaka of the South Manchurian railway, and Prince Ito's private secretary.

Consul-General Kawakan is badly, but not fatally, injured. It is believed. The assassin was promptly seized. On being questioned he said he was a Korean.

Not on Official Business. Washington, Oct. 26.—It was insisted at the Japanese Embassy here that Ito was not in Manchuria on official business.

A SUIT AGAINST BURLEY SOCIETY

A Cincinnati Company Has Entered Suit in the Federal Court, Asking \$196,000 Damages.

Rush of '49 Commemorated. Stockton, Cal., Oct. 26.—A carnival to commemorate the sixtieth anniversary of the rush of the gold-seekers through Stockton in 1849 was opened in this city today. The program of festivities, which will last several days, provides for numerous interesting features, including an exact reproduction of one of the early mining camps.

Names Ordered Stricken Off. New York, Oct. 26.—Justice Gerard, in deciding the ballot dispute in New York city campaign, orders the name of Judge Gaynor and the nominees for comptroller and president of the board of aldermen stricken from the column under the Independence League column.

Mrs. John Deaver. News has been received here of the death of her home at Pisgah Forest, in Transylvania county, of Mrs. John Deaver, which occurred Sunday morning. Mrs. Deaver was the wife of John Deaver, a merchant of that section, who is well known in Asheville.

A Large Funeral. New York, Oct. 26.—A multitude of mourners forming the largest funeral procession ever seen in Brooklyn, followed the body of the late Susannah Matherson from his old home to the church where services were held, and from the church to the cemetery.

A French Aviator Breaks the World's Speed Record

Doncaster, Eng., Oct. 26.—Leon Delagrange, the French aviator, flying a Blériot monoplane here today, broke the world's speed record. He travelled a mile and 566 yards in one minute and 47.1 seconds. This was at a rate of nearly 54 miles an hour.