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FIVE CENTS.

## Leads all North Carolina Daily Papers in Both News and Circulation

### MITCHELL'S REPLY TO THE PRESIDENT

#### The Convention Will Agree to the Arbitration.

### THE OUTLOOK IS BRIGHT

#### Mitchell Believes That a Complete, Satisfactory and Permanent Solution of the Troubles in the Coal Fields Will be Reached.

(By the Associated Press.)

Washington, D. C., Oct. 17.—The response of John Mitchell, president of the United Mine Workers, to President Roosevelt's notification that he had appointed a commission, was made public today. It informs him of the action of the executive boards of Districts 1, 7 and 9 in calling a convention and agreeing to recommend unanimously the resumption of work and the submission of the differences between the operators and the mine workers of the anthracite coal fields to the commission. The reply expresses confidence that the convention will agree to the arbitration of the "eminent and impartial men" chosen by the President, and expresses gratitude to the President for his patriotic efforts to bring about an honorable settlement of the strike. The reply goes at length into the grievances of the miners, and concludes with the expression of the hope and belief that from his arbitration will come "a complete, satisfactory, and permanent solution of the troubles which have vexed the anthracite field for time immemorial."

The President, in his telegram to Mr. Mitchell, announced the appointment of the commission, and said:

"It is a matter of vital concern to all our people and especially to those in our great cities who are least well off that the mining of coal should be resumed without a day's unnecessary delay."

Mr. Mitchell's reply recounts the efforts of the miners' organization to secure arbitration, and goes into a defense of the union and its demands, saying:

"If our proffer of arbitration or impartial investigation had been accepted six months ago instead of now, there need have been no strike. We have been so eager, Mr. President, to respond to the people's demand for coal, that during the progress of the strike we have more than once offered arbitration, but we have invariably been met with the reply, 'We will not permit outsiders to dictate to us in the management of our affairs; we had better manage our own affairs.'"

"Now that the managers of the companies have been compelled by you and a thoroughly aroused public conscience to recede from this position, we are proud that the firmness and the heroic endurance of our men and women in support of their rights and of a vital American principle have won the victory."

"The poor, under-paid mine workers, of these coal regions, who toil hard from early morning until late at night for a livelihood, nobly supported by organized labor in this and other lands, have taught these corporation managers a useful lesson in civic and social duty. We exult over this tribute to the dignity of labor, because it is the triumph of right and of good public policy."

"We do not, however, exult over our opponents; we appeal to them now, as we have from the first, to turn their eyes to the future and to co-operate with us in an effort to establish better relations between employer and employee for the advantage of both."

"We forgive them their arrogant refusal to deal with us, and in this hour when they are forced to acknowledge their inability to operate their mines without our consent and co-operation, we hold out right hand of friendship and ask them to join with us in securing amicable relations and wholesome conditions in this region. We forgive them even the false accusations which they have made against us."

"The pretense of the operators that they were unable to produce coal because of intimidation kept from work men who were willing to work, has been proven false by the fact that the production which they demanded has decreased rather than increased the number of men mining coal."

"The operators declared that they would have nothing to do with the United Mine Workers of America, but they have found it necessary to recognize the power of the United Mine Workers of America, through you, Mr. President, and to seek terms of peace which will enable them to resume their business of mining and selling coal. The recognition of our strength thus forced upon the operators by stern necessity we exult over, not in any narrow spirit, but because we believe it marks a forward step toward a new era. Upon the foundations laid through war we are ready to join with them in building for better conditions and a long and lasting peace. The United Mine Workers of America, since its organization in the anthracite field has constantly sought to establish:

First—Fair wages and just conditions of labor; conditions just to both operators and miners. We have never made demands beyond the ability of the industry to pay on a basis of equitable division of profits between labor and capital.

Second—Amicable relations between employers and employees. The latter speaking through their organization and their organization aiding the companies

in maintaining discipline, adjusting all difficulties by conciliatory methods, averting local strikes and lock-outs and securing stable and satisfactory conditions to the industry. Our organization by the same methods which we have proposed here, has secured just such relations and just such results in the coal fields of the country. Organization, like an individual, must stand upon what it has done and the life it has lived. We invite scrutiny and investigation of our record and character. In the soft coal fields we have joint conferences with the operators and with them we adjust differences, we sign joint agreements, together, we preserve discipline, settle disputes, and maintain harmony and stability in the trade. Upon our past record we are willing to stand or fall. We have, time and time again, invited the anthracite operators to adopt these business methods and to deal with us on this basis. Despite repeated rebuffs, we persisted, but they resented any attempt upon our part to organize their employees; they refused our overtures for amicable discussion and possible satisfactory adjustment of wage differences in joint conferences.

"When the inevitable conflict came on, they attempted to justify themselves upon the false plea that ours is an irresponsible organization; when we demonstrated our responsibility they then asserted that we were a lawless organization which was dominated by violence. When society attempted to interfere to settle the strike, they declared their divinely appointed right to be let alone. When representatives of National and State governments tried to mediate they resented 'such meddling by politicians.' But thanks to you, Mr. President, and to the power of public opinion, they have been brought to a realization of the fact that the interests and welfare of the American people cannot be ignored with impunity."

"By the eminent tribunal which you have named, we have confidence that justice will be done our people. We are glad to have a chance to appear before such a court empowered to consider and dispose of all questions at issue. First among these is the demand of the mine workers for increased wages and a reduction in the hours of labor; second, is the relation which ought to exist between the employers and the organization which the men have formed and which they authorize to speak for them."

### PLAY AT CHARLOTTE TODAY.

#### The University Team Leaves to Meet Davidson on the Gridiron.

(Special to News and Observer.)

Chapel Hill, N. C., Oct. 17.—The University football team, consisting of sixteen members, under the management of Mr. William Dunn, Jr., of Newbern, left this afternoon for Charlotte, where on tomorrow afternoon it will meet the strong Davidson team to battle for gridiron honors. It will be a hard fought battle from start to finish. The Davidson boys are very hopeful of victory and claim that the recent score with Furman is not indicative of their true strength, as Capt. Caldwell and the regular two ends, on account of sickness, were out of the game. The University is as equally confident of victory and goes to Charlotte with three consecutive victories on her banner.

In all probability the following men will compose Carolina's line-up: Stewart, c.; Farlow, l. g.; Shepherd, r. e.; Jones, r. t.; Foust, l. t.; Holt, l. e.; Latham, r. e.; Groves, q.; McRae, l. h. b.; Berkley, r. h. b.; Engle, f. b. Substitutes: Newton and Jacobs, half-backs; Fisher and Townsen, ends; H. Jones, tackle.

### REPUBLICAN ANNEX TOTTEES.

#### Two Named by the Independents in Cumberland Decline the Fomination.

(Special to News and Observer.)

Fayetteville, N. C., Oct. 17.—N. C. Thaggard, of Cedar Creek township, declines the nomination of commissioner at the hands of the McNeill Republican annex. W. H. Marsh, Democratic nominee for sheriff, endorsed by McNeill, authorizes the executive committee to decline for him also. The Jas. D. McNeill annex is rapidly going to pieces.

### Death of Professor Eason.

(Special to News and Observer.)

Seima, N. C., Oct. 17.—The body of Prof. R. R. Eason arrived here this morning at 7 o'clock. Mr. Hood, the undertaker, conveyed the casket to the Baptist church, where the body lay until 1 o'clock this afternoon, at which time appropriate services were held. A large number of his former school students turned out to pay their last respects to their former teacher. His remains were taken to Clayton on the 3 o'clock train for interment beside his wife in the cemetery at that place.

Mr. Eason was a Johnston county boy, and a most excellent and worthy young man. Once principal of the Seima College Institute, he accepted about five years ago a like position in Elgin, Texas, at which place he remained until his death last Monday. Mr. Y. D. Vinson, a prominent merchant of this place, married his sister.

### Engine Jumped the Track.

(Special to News and Observer.)

Dunn, N. C., Oct. 17.—A serious accident occurred yesterday on Hall's Tram Road. About three o'clock in the afternoon, as the engine was nearing Turington's X Roads, it jumped from the rails, and would have turned over if it had not struck a large tree near the track. Mr. Troy Munns, the engineer, was thrown from the cab, and quite badly hurt. Both of the boxes of his left leg were broken, and he was otherwise bruised.

### ROARS OF APPLAUSE GREET MR. KITCHIN

#### He Replies at Proximity to Patterson's Charges.

### NOT EVEN THE GHOST LEFT

#### The Mill People go Wild and the Enthusiasm is so Tumultuous Kitchin has to ask Them to Draw it.

(Special to News and Observer.)

Greensboro, N. C., Oct. 17.—An overflowing house and an audience full of enthusiasm greeted Hon. W. W. Kitchin at Proximity last night. So great was the enthusiasm at times that the speaker had to ask the crowd to desist.

Mr. Kitchin is known as a fine speaker, but he surpassed himself last night. His purpose was to answer the charges made against him by Lindsey Patterson. To do this and at the same time make a speech covering the absorbing issues of the day was a difficult task, but this Mr. Kitchin successfully accomplished. He explained his efforts to set Mr. Patterson to speak with him, all of which had been futile; then he took up the charges Mr. Patterson made against him and tore the stuff out of them. He showed from his point of view that Mr. Patterson was not a Democrat desiring Democratic success, but a Republican; that in Forsyth county he was in favor of electing the Republican ticket and could not deny it and that this was one of the reasons why he could not face him; that if asked whom he would support for Speaker of the next House, if elected, he dared not say.

No man, he said, had a right to sell under false colors, he had a legal right to be a Republican, though he was doubtful of the morals right of it.

Mr. Patterson had charged that the speaker would destroy the banks of Greensboro, when, as a matter of fact, he had worked to sustain the banks spoken of. He had voted against the Fowler bill which would authorize the metropolitan banks, the very large banks of the cities to establish branches at will; this would create a monopoly and drive out the small banks, an injustice not to be thought of, just as the great American Tobacco Company had driven every independent manufacturer from the field.

Patterson's charges against him about the currency bill were likewise exploded completely. He had voted against the Philippine cable bill for two reasons—there was a job in it and further, he thought we were a little too mixed up with that country already and it was not desirable to get any closer. His position on the Philippine question was made clear and that the audience was in sympathy with him was shown by the applause, at times "long, loud and continuous."

Not the least interesting was his refutation of the charge of Patterson that he—Kitchin—was opposed to corporations. He said he was opposed to all trusts, but that all corporations were not trusts by any means; then he explained the difference, using the American Tobacco Company as an illustration of a trust and he made it so plain that any one could see it, while he made it hot for all trusts.

With great power and logic he drove every illustration home. The great bulk of his hearers were mill people and his speech was very effective.

### TO MEET WITHIN TEN DAYS.

#### Committee who will Complete Selecting Mills to Enter the Merger.

(Special to News and Observer.)

Greensboro, N. C., Oct. 17.—Col. John W. Fries, of Winston, chairman of the Central Committee of the proposed Southern Textile Company, to be organized by the Legislature. The other Democratic candidates made short but effective statements and the temper of the people is plainly evident against all "independence." The "Independent-Radical" convention met today in Snow Hill and was engineered by the manipulator of Mark Hanna's shekels—Don Patrick. A full ticket was named, but few if any of them will accept. "Independence" is a dead letter in Greene county since the masterful speech of Senator Simmons here on Saturday.

### Simmons Cut off its Head.

(Special to News and Observer.)

Snow Hill, N. C., Oct. 17.—The Democratic county canvass opened today at Hookerton. The issues of the day were discussed by Hon. F. L. Carr, candidate for the Legislature. The other Democratic candidates made short but effective statements and the temper of the people is plainly evident against all "independence." The "Independent-Radical" convention met today in Snow Hill and was engineered by the manipulator of Mark Hanna's shekels—Don Patrick. A full ticket was named, but few if any of them will accept. "Independence" is a dead letter in Greene county since the masterful speech of Senator Simmons here on Saturday.

### Dry Dock Contract Awarded.

(By the Associated Press.)

Washington, D. C., Oct. 17.—The Navy Department has awarded a contract for building the first granite and concrete dry-dock at the Charleston (S. C.) navy yard, to the New York Continental Jewell Pittington Company, at about \$216,000.

### THREE SHOTS SPED, THREE MEN DROPPED

#### Double Murder and Suicide in Wall Street.

### THE CRIME OF W. C. TURNER

#### The Tragedy Followed a Quarrel Over an Alleged Shortage in Turner's Accounts, His Victims W. J. Mallard, Robert Hamilton and Hims-lif.

(By Associated Press.)

New York, Oct. 17.—Using a new automatic magazine pistol, William C. Turner, former president and treasurer of the Climax Bottling Company, today shot and killed W. J. Mallard, secretary and treasurer of the company, and Robert Hamilton, its president, and then killed himself with the same weapon. A second revolver, loaded in every chamber, was found in Turner's pocket, and it is believed he planned to take more lives than he did.

The shooting was caused by a quarrel between the three men over an alleged shortage in Turner's accounts, for which he was threatened with criminal prosecution. The tragedy occurred in the offices of the law firm of Cantor, Adams and McIntyre in the heart of the Wall street district during the busy noon hour. Turner, who was 45 years of age and lived at Mount Vernon, N. Y., a suburb of this city, was a cousin of Governor Odell, of this State, and the head of the law firm in whose offices the shooting occurred in President Cantor of the Borough of Manhattan. Soon after the shots rang out in the office building, a wild rumor was started that the borough president had been killed.

All of the principals of the tragedy were married. Mallard was 36 years old, a native of Atlanta, Ga., where he was well-known in business and social circles. He was president of the Young Men's Democratic Club there. He had been in this city about four years and lived with his wife and two children in uptown Manhattan. Hamilton lived in Pittsburg, where he was president of the J. T. and A. Hamilton glass factories. He was about 60 years old. He arrived in this city yesterday in response to a telegram from Turner, which said: "Meet me in New York Friday and I will settle with you."

The three men met in the law offices by appointment to allow Turner to make a partial settlement and he was asked for a certified check. "I have it," he said, and then he closed the door of the room. An instant later he drew a revolver and began firing. Mallard fell, shot through the heart, and Hamilton lived only a few moments. A number of other persons who were in the room, clerks and members of the firm, fled in a panic. After killing Hamilton and Mallard, Turner shot himself in the head. Some moments later, hearing no more shooting the persons who fled ventured back into the room and found the three bodies.

Turner retired as president of the Climax Bottling Company last April when he was bought out by Hamilton. After the sale it was discovered, in examining the books of the concern, that there was a shortage of \$5,100 in Turner's accounts. The Climax Company engaged John F. McIntyre, former assistant district attorney, and M. Goodman, both of the firm in whose offices the shooting occurred today, to effect a settlement with Turner, and he engaged Edgar Leventritt to represent his interests. Some difficulty had been met with in the negotiations which followed between the lawyers, but it was finally agreed to accept \$1,700 and give Turner a release in full. Last night it was agreed that the settlement should take place in the office of Cantor, Adams & McIntyre today at 11 o'clock.

Before he left the conference last night, Turner anxiously asked that Mr. McIntyre be present at today's meeting, and Mr. McIntyre has said since the shooting that he did not like Turner's manner yesterday, as the latter seemed, in his opinion, to bear himself recklessly and with the demeanor of a man who might do almost any desperate act.

At the appointed hour today, Turner, with his lawyer, entered the law office. Mr. Goodman ushered Turner and his lawyer into the private office of Mr. Adams. Leventritt, it is said, told Turner to remain outside. Turner refused, saying that he wanted to close the matter at once. Turner immediately after entering asked for Mr. McIntyre and showed anger when told he would not be at the conference.

Negotiations for a settlement began at once. Messrs. Hamilton, Mallard and Goodman and Adams being present, beside Turner and his attorney. The conference at first was in the firm's general offices, but later Mallard asked to see Mr. Adams and Mr. Hamilton in Adams' private office. Turner having refused certain propositions. While the conference in the private office was going on, Turner walked in. His lawyer asked him for his check to be used in the settlement, and Turner said, "Yes, I'll let you have it."

Then Turner closed the door of the office. He was facing Mr. Mallard, who had asked him for the certified check. An instant after he had shut the door, he drew a revolver and, pointing it at Mallard, said, "I will kill you, you damn scoundrel." Then he fired two shots at Mallard. Instantly there was a wild scramble on the part of the others in

the room. All except Hamilton dashed for the door, but Hamilton, when Turner fired, sprang at him to grapple. Turner was too quick for him, however, and dropping his weapon to a level with his victim's breast fired. There is no witness to what followed. Mr. Leventritt, at the first appearance of the revolver, rushed out of the room, leaving his hat behind. Goodman followed Leventritt and Adams jumped to his feet as soon as Mallard was shot, brushed past Turner and got out of the office. As they left the room more shots were heard, followed by two heavy falls. There was consternation in the office. Clerks, boys and several women employees were, for a few minutes, too frightened to do anything.

When persons connected with the law offices ventured back into the room they found the three bodies lying close together.

On Turner's body was found an unsigned telegram reading: "Telephone message received. Will accept \$2,700 either from Hamilton or Mallard."

On Turner's corpse the coroner also found a certified check for \$2,700. The latter is regarded as throwing a peculiar light on the case, for it is thought to indicate that Turner went to the offices with the probable intention of paying the sum of money which was to have settled the difficulty. If he did intend to pay, it is argued, he changed his mind suddenly and decided to kill.

### Well Known in Atlanta.

(By Associated Press.)

Atlanta, Ga., Oct. 17.—W. J. Mallard was one of the best known young men in Atlanta. He was prominent in real estate, political and social circles, the son of a well-known lawyer and a man of many friends. He was president of the Young Men's Democratic League at the time when William Jennings Bryan visited Atlanta.

### UNITED DAUGHTERS CHOSE MRS. F. A. OLDS PRESIDENT

#### The Usited Daughters get Through Much Business. Ashe's History of North Carolina is Endorsed.

(Special to News and Observer.)

New Bern, N. C., Oct. 17.—The Convention of the United Daughters of the Confederacy disposed of considerable business this morning. Mrs. Overman is a most excellent presiding officer. The convention endorsed the North Carolina history by S. A. Ashe. Dalton's motion to petition the general convention for more frequent days for bestowing the cross of honor was carried, the days for giving crosses being too few and far between.

The convention adopted an amendment to the constitution to hold a general convention every two years.

An autograph letter of Jefferson Davis was presented by Mrs. Overman to the New Bern camp and accepted in a graceful speech by M. D. W. Stevenson.

Mrs. Womack introduced a resolution to make the tenth of May a holy day instead of holiday. This was adopted. The election of officers followed. This resulted as follows: President, Mrs. F. A. Olds, Raleigh; First Vice-president, Mrs. Barringer, Charlotte; Second Vice-president, Mrs. Garland Jones, Raleigh; Recording Secretary, Mrs. H. A. London, Pittsburg; Corresponding Secretary, Mrs. R. H. Lewis, Raleigh; Treasurer, Miss Oliver, New Bern; Registrar, Mrs. Hill, Hillsboro; Historian, Mrs. C. A. Meran, Hillsboro.

The convention was invited to meet in Asheville, and accepted with a rising vote.

The Elks gave a most delightful luncheon at 12 m. to 1:30 p. m., to the Daughters of the Confederacy prior to their sail down the historic Neuse on the elegant steamer Neuse. The Daughters were received at the lodge rooms by Col. O. H. Guion, S. W. Hancock, T. G. Hyman, J. G. Dunn, E. E. Williams and Tom C. Daniels. Toasts were proposed and drank and the occasion was pronounced enjoyable.

The young men gave a most delightful german at Lathrop Hall last night to the visiting Daughters. It was led by Mr. Tom C. Daniels. Fifty couples were present.

### Glenn Stirs Fayetteville.

(Special to News and Observer.)

Fayetteville, N. C., Oct. 17.—Every seat at the court house was filled last night, and many stood in the aisles, to hear the ringing appeal of Hon. R. B. Glenn to the men of Cumberland. It was a speech that has stirred our people, for no one who heard it was left in doubt as to where good government, peace and security rested in North Carolina—with the Democratic party that had twice rescued the people from a black reign of danger, disgrace, infamy and shame.

He made a passionate appeal to any "Independent" that was present, showing up the position that they had been led into, in its true light. He had no sympathy for men who ran for nomination in a convention and then after defeat "bolted" and ran for an office as an Independent—amex to the Republican party.

### Overman Speaks at Kinston.

(Special to News and Observer.)

Kinston, N. C., Oct. 17.—Hon. Lee S. Overman spoke here tonight to a large, enthusiastic and well pleased audience from his eloquent peroration to the close of his unanswerable denunciation of Republican principles. He held the closest attention of his audience. He was in fine fettle, and never for a moment showed the strain of his long canvass in the east. No better Democratic doctrine has been heard here since the good old days of Zeb Vance.

### MANY WHEELS HAD CEASED TO REVOLVE

#### And Consumptive Demand had Fallen off.

### A BIG HANDICAP REMOVED

#### Dun and Company say That the Settlement of the Coal Strike Removes the Only Serious Obstacle to Industrial Progress.

(By the Associated Press.)

New York, Oct. 17.—R. G. Dun & Co.'s weekly Review of Trade tomorrow will say:

"Settlement of the coal strike removes the only serious handicap to industrial progress. Five months of restricted fuel production had begun to check the wheels at many manufacturing centers, while there was a perceptible diminution in consumptive demands as the purchasing power of the wage-earners steadily decreased. Savings have been exhausted and much money has gone out of the country because of this struggle, but the nation's remarkably strong position assures a speedy restoration of prosperous conditions. Transportation is now the worst feature, and threatens to continue disturbing. While the grain crops are being moved the supply of rolling stock and motive power will prove insufficient, although every effort is made at the shops, liberal premiums being offered for early delivery. That the railways are well occupied is evidenced by earnings for the first week of October 3.5 per cent larger than last year, and 10.9 per cent above 1900.

"Large imports have weakened dry bides. In cotton goods the feature was a purchase of about 250,000 pieces of print cloths. While quotations were not altered, the tone became decidedly firmer. In other divisions of the market, buyers are only interested in meeting current demands, future requirements being held back by evidences of weakness in the raw material.

"Failures for the week number 295, against 229 last year."

### COMPARATIVE COTTON STATEMENT.

New York, Oct. 17.—For the week ending Friday, October 17, 1902: Net receipts at all U. S. ports during week 314,751; net receipts at all U. S. ports same week last year 230,305; total receipts since September 1st 1,637,879; total receipts to same date last year 1,218,434; exports for the week 207,442; exports for same week last year 203,210; total exports since September 1st 1,651,169; total exports same date last year 1,173,971; stock at all United States ports same time last year 546,158; stock at all interior towns 359,842; stock at all interior towns same time last year 379,765; stock at Liverpool 234,000; stock at Liverpool same time last year 138,000; American afloat for Great Britain 103,000; stock of American afloat for Great Britain same time last year 178,000.

### TOTAL NET RECEIPTS.

New York, Oct. 17.—The following are the total net receipts of cotton at all ports, since September 1st:

Calveston 551,890; New Orleans 331,153; Mobile 40,943; Savannah 337,730; Charleston 84,697; Wilmington 137,412; Norfolk 53,890; Baltimore 2,311; New York 3,717; Boston 1,779; Newport News 4,713; Philadelphia 3,953; Newark 22,513; Pennsylvania 13,293; Port Townsend 5,099; San Francisco 1,705; Portland, Ore., 200. Total 1,637,879.

### TOTAL BANK CLEARINGS.

New York, Oct. 17.—Total bank clearings \$2,561,167,658, increase 19.3 per cent; outside New York \$859,173,321, increase 7.5 per cent.

### Railroad President Resigns

(By the Associated Press.)

Knoxville, Tenn., Oct. 17.—John B. Newton has tendered his resignation as president of the Knoxville, LaFollette and Jellico railroad and as vice-president and general manager of the Atlanta, Knoxville and Northern railroad. The resignation is effective November 1. Mr. Newton will be succeeded by J. H. Ellis, of Louisville, Ky., secretary of the Louisville and Nashville.

### A Captor of Santa Anna Dead.

(By the Associated Press.)

San Sata, Texas, Oct. 17.—R. B. Bostick, aged 83 years, is dead here. He was a veteran of the Texas War of Independence, and was one of the three scouts who captured Santa Anna, the Mexican dictator, after the battle of San Jacinto. He afterwards served in the Mexican War of 1845, and in the Civil War.

### Rads Endorse Indepub Ticket.

(Special to News and Observer.)

New Bern, N. C., Oct. 17.—The Republican convention of Pamlico county, met today at Barbours and endorsed the "Independent" ticket nominated, on October 16th, the Democrats say they will carry the county by a large majority.

### Shot Dead at Railroad Camp.

(By the Associated Press.)

Knoxville, Tenn., Oct. 17.—At the railroad camp of the Knoxville, LaFollette and Jellico railroad, five miles from Jellico, Walter Jones was shot by W. M. Shelby and instantly killed.