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## CORNISH TRIPS IN GIVING TESTIMONY

### Does Adams Lie About Mrs Stephenson?

## STATEMENTS THAT CLASH

### The Evidence in the Molineux Trial is all in Argument of Counsel will Begin Monday—A Verdict is Expected Tuesday.

(By the Associated Press.)  
New York, Nov. 7.—The taking of evidence in the second trial of Roland B. Molineux for the murder of Mrs. Katherine J. Adams, was ended today and court was adjourned until Monday when the arguments of counsel will be made. A verdict is looked for on Tuesday.

The sensational turn given to the testimony for the defense, yesterday, when Mrs. Anna Stephenson, wife of a Brooklyn policeman, said she thought Cornish was the man she saw mail the poison package, was continued today. Cornish was recalled to the stand and was asked whether he had a brown overcoat in 1888. Mrs. Stephenson said the man she saw mail the poison package wore a brown overcoat. Cornish said today he had no overcoat at all that winter, and then Mr. Black read from the minutes of the trial to show that Cornish had testified at that time that he had only one overcoat, and that it was brown.

W. M. K. Olcott, one of Molineux's counsel, testified that he had purchased cyanide of mercury, without difficulty, at a drug store in this city, by saying that he wanted it for photographic experiments. Two other witnesses gave similar testimony. Prof. Vulte, of Columbia University, gave evidence to the effect that Molineux was in his company from noon until after dark on the day the poison package was mailed. The package was mailed during the afternoon. H. E. Terry, a reporter, gave testimony to contradict that of Joseph Koch, who identified Molineux as the man who hired the letter box from him in September, 1888. Witness was asked if Koch went to a newspaper office, and offered to identify Molineux as the man who hired the letter box, if witness would pay him \$1,000. Witness said he did.

The decree of divorce granted to Mrs. Rogers was put in evidence to show that it was granted after the death of Mrs. Adams, and then by consent of the prosecution ex-Governor Black submitted a table compiled by one of his clerks to show that although the written exhibits are made up of several thousand individual letters, the prosecution has based its contention that Molineux wrote them all upon the similarity found in some seventeen letters. That closed the case for the defense, and Mr. Osborne called Joseph Farrell, the hitherto missing Newark detective, as his first witness in rebuttal.

Mr. Farrell, replying to a question by Mr. Osborne, said he was sure the evidence he had given at the first trial was correct. At that trial he testified that he met Molineux near a railway station in Newark on the afternoon the bottle-holder was bought. Molineux has testified at the present trial that he could not remember meeting Farrell that day.

Geo. H. Baker, a clerk in the employ of the Newark postoffice, testified that the Burns' letter, the conceded writing of Molineux, was mailed at Newark within a half mile of Molineux's office. The letter was on the much described blue paper and the object was to throw doubt on Molineux's statement that he could not remember where he wrote it, but was sure that he had none of that paper at the factory.

Then Mr. Osborne set about upsetting Mrs. Stephenson's identification of Cornish and substantiating the account Cornish has given of his whereabouts on the afternoon of Friday, December 13, when Mrs. Stephenson said she saw him at the postoffice.

John Yokum was true first witness Mr. Osborne called. He said he met Cornish about noon and they lunched together. About 2:30 they went to the office of Jas. F. Sullivan to talk over athletic matters. Mr. Sullivan was secretary for the Amateur Athletic Union. Yokum said he remained in the office until 4:30 and that Cornish was there all the time. He said Cornish did not wear an overcoat. Mrs. Stephenson said she saw him with a brown overcoat. He said Mr. Sullivan's office was about three hundred feet from the general postoffice.

James Mitchell, the hammer-thrower, and a writer of sporting topics, testified that he was at Sullivan's office that day and saw Cornish there. He believed Cornish was there all the afternoon.

Harry S. Cornish denied absolutely that he was at the postoffice when Mrs. Stephenson said she saw him and declared that he never left Sullivan's office from the time he went there until after five o'clock.

Witness said he did not wear an overcoat on December 23, 1888, in reply to a question by ex-Governor Black. Cornish said he was positive he did not own one at that time. Mr. Black asked the witness if he did not own a brown overcoat in the fall and winter of 1888 and the reply was "I did not." Then Mr. Black read to Cornish an abstract from his testimony at the last trial as follows:

"During the fall and winter of 1888, I wore the same overcoat I have got over there, (indicating a chair in the rear of the court.) It is a brown overcoat. I did not wear a white hat at all last year."

Cornish said he was sure it was before

three o'clock when he reached Sullivan's office. When Mr. Black referred to the minutes of the last trial he found that Cornish then placed the hour of his visit at Sullivan's office at before o'clock.

Howard Adams, called by the prosecution, said he was sitting near Mrs. Stephenson yesterday and saw two men indicate Cornish to her as soon as Cornish entered the court room and she said: "Is it?" Witness also said: "Man with gray hair said to Mrs. Stephenson, 'That's Cornish' and she replied: 'It is.'" Later a young man said: "That's Cornish" and again she said: "It is?"

Mr. Osborne announced that the prosecution rested and ex-Governor Black called Mrs. Stephenson in rebuttal.

Mrs. Stephenson denied to Mr. Osborne that any such occurrence as Adams described had taken place. The ex-Governor called her husband and he also said Adams was wrong. Mr. Stephenson said he never saw Cornish before and could not have pointed him out. He said he heard more than two years ago all his wife had testified. Answering the assistant District Attorney, Stephenson said he had not reported the information to the authorities because he "didn't take any stock in it." He said he reported it to the doctor. Neither side had anything more to say and Justice Lamb dismissed the jury until tomorrow.

## A GREAT RICE COMPANY.

### The Cape Fear Company With Capital Stock of \$200,000.

(Special to News and Observer.)

Wilmington, N. C., Nov. 6.—The Cape Fear Rice Company was organized by the election of the following board of directors: Mr. H. F. Slater, of New York; Dr. John L. Phillips, of Philadelphia; Messrs. Burdiss, Anderson and John H. Gore, of Wilmington, and Mr. Walter D. Carstarphen, of Plymouth, N. C.

The charter authorizes a capital stock of \$200,000 in shares of the par value of one dollar each, and the company is empowered to begin business at once. The company owns and will operate some of the finest rice properties on the Cape Fear, viz: "Black House," a plantation on Eagles' Island opposite the city of Wilmington, containing 120 acres of rice land under good banks, "Osawatomie," on Eagles' Island, 145 acres of rice land, "Lyrias," a plantation of 700 acres on the Cape Fear river, just above Wilmington, and a body of land on the Cape Fear river near Wilmington, embracing 200 acres of rice lands in had order, and 600 acres of desirable upland.

When all of its present holdings, suitable for rice culture are banked and improved, the company will have about 800 acres of exceedingly fertile rice fields, besides valuable uplands. It is also the purpose of the company to acquire other rice lands in this vicinity and elsewhere.

## Hester's Cotton Statement.

(By the Associated Press.)

New Orleans, Nov. 7.—Secretary Hester's statement of the world's visible supply of cotton, issued today, shows the total visible to be 2,825,477, against 2,722,217 last week, and 3,009,012 last year. Of this the total of American cotton is 2,383,177, against 2,285,287 last week, and 2,500,913 last year; and of all other kinds, including Egypt, Brazil, India, etc., 442,300, against 439,930 last week, and 508,099 last year. Of the world's visible supply of cotton there is now afloat and held in Great Britain and Continental Europe 1,312,000, against 1,172,000 last year; in Egypt 112,000, against 130,000 last year; in India 158,000, against 116,000 last year; and in the United States 1,202,000, against 1,291,000 last year.

Secretary Hester's weekly cotton statement, issued today, shows for the seven days of November a decrease under last year of 56,000 and an increase over the same period year before last of 12,000.

For the 68 days of the season that have elapsed the aggregate is ahead of the same days last year 287,000, and head of the same days year before last 197,000.

The amount brought into sight during the past week, has been 461,295 bales against 516,797 for the same seven days last year, and 449,644 year before last.

The total movement since September 1, is 3,679,710, against 3,393,175 last year, and 3,483, for year before last.

Including stocks left over at ports and interior towns from the last crop estimate the number of bales brought into sight far for the new crop the supply to date is 3,894,783, against 3,752,862 for the same period last year.

## Boat is Turned Down.

(By the Associated Press.)

Paris, Nov. 7.—After an exciting debate the Chamber of Deputies today, by 278 to 235 votes, invalidated the election of Count Boni de Castellane as a member of the House. Emile Chauvin made a bitter attack on Count de Castellane, declaring he had been guilty of irregularities and saying that the Count had accused his opponent of being of German descent and a Dreyfusard. Count de Castellane replied, classing the charges as false. He said he had been accused of buying the election and practicing charity for election purposes. Nothing of the kind had ever been proved, he declared. The vote necessitates another election in the Basses Alpes district represented by Count Boni.

## Negro Hanged for Assault.

(By the Associated Press.)

Vanburen, Ark., Nov. 7.—Hall Mahone, colored, was executed here today for the crime of assaulting Mrs. Rebecca McLeod, six miles from this city, September 31st last. The trap was sprung at 11:07 o'clock, and 14 minutes later Mahone was pronounced dead. The execution was witnessed by about 5,000 people.

## FAVORS THE CANTEEN

### Corbin's Report. Early Marriages of Soldiers Opposed. Vocal Music.

(By the Associated Press.)

Washington, Nov. 7.—The annual report of Major General H. C. Corbin, Adjutant General of the Army, shows that during the fiscal year there were 35 officers killed in action or died of wounds and diseases, 21 resigned and 68 retained. Of the enlisted men, 1,227 were killed or died of wounds or disease; 35,806 were discharged on the expiration of service; 5,998 were discharged for disability or dismissed by order of court martial; 4,667 deserted; 2 were missing and 203 retired.

General Corbin, in alluding to his former recommendation that rank and pay of military attaches should be increased, suggests that retired officers of high rank might be selected for this service. While the number of attaches has been decreased the service has improved because of the reciprocal relations that have been established with the War Department of the several governments where officers are stationed. He cites the two cases where the military attaches at Paris secured the model of the Isbal rifle and the French saddle from the French government.

In reviewing the reports of the officers who participated in the army and Navy manoeuvres last September, General Corbin says that much valuable information was acquired.

He strongly recommends that similar exercises be conducted annually and made to embrace each year a new theatre of operations.

The Adjutant General has obtained the number and kind of arms in the hands of the national guards in the several States and finds less than 4,000 United States magazine rifles in their possession. Of the multitude of other types he says:

"This heterogeneous collection of obsolete arms is a very serious detriment to the efficiency of the entire national guard, which, in organization drill, instruction, etc., assimilates closely to the regular army, and should be armed with the same arms as the latter."

General Corbin recommends legislation providing that Major Generals Merritt, Brooks and Otis, now on the retired list, be given the rank of Lieutenant General.

He has the following to say concerning early marriages:

"The early marriage of the younger officers of the army, many of whom are entirely dependent upon their pay and allowances for support, is greatly to be deplored and should be discouraged."

General Corbin has the following regarding the canteen:

"The restoration of the exchange as it existed prior to passage of the act of February 2, 1901, prohibiting the sale of beer, is desired and urged by the great majority of officers and men of pronounced temperance views. Numerous reports confirm the views long held by this officer that the old exchange contributed to sobriety, health and contentment of the men."

In conclusion he says: "The instruction of our men in vocal music would be a step in the direction of contentment and better discipline. Every regiment should have its marching song."

## FAILS TO IDENTIFY MASON.

### The Pawnbroker Picks out Another Man From the Line.

(By the Associated Press.)

Boston, Mass., Nov. 7.—Prompted by the finding in a pawn shop here of the watches of Agnes McPhee and Clara A. Morton, the two women who were murdered in this vicinity, the police are pressing with all their energy to place, if possible, the responsibility for the crimes. The pawn broker, Joseph Nemser, in whose store both the McPhee and Morton watches were found, was at police headquarters today and repeated his stories about the watches, after which he started for the East Cambridge jail to see Mason, for the purpose of identifying him. Captain Dugan, of the Bureau of Criminal Investigation, said that Nemser had insisted that it was a mulatto who offered Miss Morton's watch for sale Saturday night, and that it was the same individual who brought the watch to the store on Monday and sold it for \$4. He further stated that another negro, older, heavier and darker than the mulatto, joined the latter just as he was receiving the money. An apparent coincidence was noted today in connection with the pawning of both the McPhee and Morton watches, in that the address given in the McPhee case was 23 Grove street, and in the Morton case the same number 23rd, in Greenwich street, was given.

Nemser failed to identify Mason. Mason was placed among six other men and Nemser carefully scrutinized each one. He picked out one man as the person who pawned the watch, but it was not Mason.

The negro who has charge of the house where the Masons' live was about his work as usual today, although the police claimed that he had gone away. He said today that he was at his post yesterday and could have been found there by the police if they looked for him.

## Paying Election Bets.

(By the Associated Press.)

New York, Nov. 7.—Election bets amounting to nearly \$100,000 were paid today in Wall street. The Democratic talk of contesting caused the delay in settling the wagers.

## SOUTH DAKOTA SUIT

### Bonds Were not Sold as was Directed by Law.

Ex-Gov. Russell's Testimony Indicates That as Governor he Knew of the Emb-yo-Suit, Afterwards Represented it.

There was some sensational testimony of much value to the contention of North Carolina, in the bond suit of South Dakota against this State, brought out in the depositions taken here yesterday. To make this plain to the reader, who has not kept up with the case, a brief recapitulation of some points in the case bearing upon yesterday's depositions is presented.

In 1867, the State of North Carolina, through its Board of Internal Improvements, authorized the State Treasurer, Kemp P. Battle, to receive sealed proposals for the purchase of certain bonds of the State, the returns from which were to go towards building the Western North Carolina Railroad. These bonds were to be secured by bonds of the North Carolina Railroad as collateral, ten to each \$1,000 of State bonds, and they were to be sold at not less than par.

The bonds were sold, but in 1879 the State's finances were such that compromises were effected on its indebtedness, except on certain bonds as are at issue in this suit. Shaffer & Co., private individuals, holders of some of these bonds, could not as individuals sue the State on the mortgage of the North Carolina bonds. Ten shares of the stock issued were presented by these parties to the State of South Dakota, which, as a State, could bring suit against another State. The par value of the bonds held by South Dakota is \$10,000, but the interest to this date amounts to about \$20,000, and the entire amount of bonds of this nature outstanding exceed a million dollars. In case the Supreme Court should decide that the bonds are valid and the State of South Dakota is awarded its claim, this would cause other claimants to demand the payment of similar bonds which they hold.

The case is now before the Supreme Court of the United States and both plaintiff and defendant are taking depositions. Some have been taken in South Dakota, and day before yesterday two were taken here. The depositions yesterday were those of Dr. J. J. Mott, of Statesville, president of the Western North Carolina Railroad in 1867; Mr. H. C. Cowles, of Statesville, secretary and treasurer of the road in 1867; ex-Governor Russell and Governor Aycock.

These depositions were on behalf of the State, which by them is endeavoring mainly to prove that the bonds were not sold as the law directed, and that in their very issue and sale that they were invalid.

The purpose of the depositions of Dr. Mott and Mr. Cowles was to show that the bonds issued under the act of December 14, 1866, were not issued in accordance with the provisions of the statutes and were placed on the market in violation of the requirements of the act. These gentlemen's depositions showed that in place of sealed proposals being received the bonds were sold in the open market and in place of par value at least being required, as provided in the act, the bonds were sold at prices ranging between 23 and 65 cents on the dollar. Both of these, it will be noted, were in violation of the distinct requirements for sealed bids and for a sale at not less than par.

Ex-Governor Russell was examined also for the State, and while he stated his connection with the matter most carefully, there was evidence in his testimony tending to show that while he was Governor he knew of the prospective suit of South Dakota. He disclaimed having had anything to do with the suit as an attorney until in March, 1901, after his term of office as Governor had expired. The information brought out was that he had information that the suit was likely to be brought, and that in March he was employed to represent the owners of the second mortgage bonds.

Governor Aycock was examined, and his deposition went to show that he knew nothing at all of the case until he had seen notices in the newspapers that such a suit was to be brought by South Dakota against the State of North Carolina for the purpose of recovering any amount supposed to be due on the bonds. He testified that no demand had been made on him or the State before the publication, and that the first intimation he had of it was when he saw it in the papers that the State of South Dakota had filed an application in the Supreme Court of the United States to bring suit against the State of North Carolina.

These were all the depositions taken yesterday, the session before Commissioner Ed. S. Battle lasting from 10:45 to about 2:30. The hearing was then adjourned till December 3rd, when it will be resumed here in the office of the Attorney-General.

For the State Attorney-General Gilmer is assisted by Hon. Geo. Rounroe, Judge James E. Shepherd and Judge Merrimon. For the private bondholder and the State of South Dakota the attorney are ex-Governor Russell and Col. J. C. L. Harris.

## Sites for Federal Building Rejected.

(By the Associated Press.)

Washington, Nov. 7.—Assistant Secretary Taylor has decided to reject all offers so far received for a site for the

Federal building to be erected in Portsmouth, Va., and ask for additional proposals. This action was taken upon the recommendation of Major Bartlett, of the Treasury Department, who examined the sites offered and prominent citizens of Portsmouth, including the postmaster, deputy collector of customs and Mr. Park Agnew, collector of internal revenue for the North District of Virginia.

## Negro Found Dead in the Woods.

(Special to News and Observer.)

Reidsville, N. C., Nov. 7.—Green King, a colored man, who had been hunting, was found dead, near Ruffin, yesterday. It is thought he accidentally shot and killed himself.

The Morehead Cotton Mills is now in process of construction at Spray. The proposed equipment is from 3,000 to 6,000 spindles.

Lindsey Patterson, aspirant for Congress from this district, was hung in effigy at Spray one night last week. There was a large crowd present.

## Won't Accept State Bonds.

(By the Associated Press.)

Washington, Nov. 7.—The Treasury Department has discontinued the acceptance of State and municipal bonds as security for government deposits. The amount of municipal and State bonds so deposited aggregate roundly \$17,000,000. Those transactions that are already in process will be completed and will slightly increase the Treasury's holding of the securities.

## A CALL FOR TROOPS

### To Protect Negro Arrested for Assault on White Woman.

(By the Associated Press.)

Anniston, Ala., Nov. 7.—Orders have been issued calling out the second battalion of the Third infantry, Alabama National Guard, to protect Jason Bacon, a negro who was brought here and placed in jail last night on the charge of assaulting Mrs. John Williams, near here. A mob of 400 people is gathered at the Williams home. Mrs. Williams is in a semi-conscious condition and failed to identify the negro. When turned over to the sheriff, the understanding was had that the negro should not be removed from the county, until a chance was given for identification.

A mob of 200 men gathered at the jail at noon. A speech was made by the sheriff and the crowd dispersed. When the negro was brought to the city he was strongly guarded. A negro named Lanford, also answering to the description of Mrs. Williams' assailant, is now being sought by a large crowd near Alexandria. The local military company is being mobilized and will be ready to march in a short time.

## KILLED BY THE TRAIN.

### Calvin Talton's Mangled Remains are Found at Rose's Siding.

(Special to News and Observer.)

Goldboro, N. C., Nov. 7.—The mangled remains of Calvin Talton, a white man about 50 years of age, were found at Rose's siding, on the Southern Railway, by the crew of the passenger train which left here for Raleigh at 7:20 this morning. The first news of the accident was telegraphed to Mr. D. E. Schlers, the agent of the Southern Railway, here, by Captain Frye from Princeton. The coroner, Dr. Thos. Hill, was notified and left by private conveyance to view the remains.

Calvin Talton made his home in this city with his brother, Mr. Elbert Talton. He left Princeton yesterday afternoon on the late train from Raleigh with the expressed purpose of coming to Goldboro, but for some reason unknown he got off the train at the asylum, about three miles from the city, and started back to Princeton. There was a young man on the train with him who came on to Goldboro and brought Talton's bicycle and banjo. It is supposed that Talton got on the railroad track and started back to Princeton, where he had some engagement. While on the way he must have been overcome by the effects of liquor and lay down on the railroad track and went to sleep. It is supposed that the train, which left here last night at 9:40, did the killing. The remains were mangled beyond recognition, and those who were well acquainted with the dead man could only identify him by the clothes and hat he wore. He had been married some years ago, but had been separated from his family for quite a while. The railroad company took charge of the remains and gave them a decent burial.

## Walthour Races Cresceus.

(By the Associated Press.)

Atlanta, Ga., Nov. 7.—The bad condition of the track at Piedmont Park preventing a decent race between Groves and "Bobby" Walthour. An exhibition mile was given, however. Walthour's time being 2:22½ and Groves' time 2:32. Hat, Cresceus did not go against time as was expected on account of the muddy track.

## The First Cold Wave.

(By the Associated Press.)

Washington, Nov. 7.—The weather bureau has issued the following bulletin: The first well marked cold wave of the season will extend over the upper Missouri Valley region tonight and Saturday with minimum temperatures ranging from 5 to 10 above zero.

## LO! THIS IS WHAT MOODY HAS FOUND

### Voter Unregistered Who Couldn't Take Oath.

## ARREST OF REGISTRAR

### If for This Gudgev's Vote in Tryon is Thrown out He's yet Ahead—155 Majority With Graham to Hear From Officially.

(Special to News and Observer.)

Battery Park Hotel, Asheville, N. C., Nov. 7.—Gudgev's majority is 155 with Graham still to hear from officially. Republicans openly concede this majority, but declare that Moody will contest. As yet, however, they have found no ground on which to base a contest beyond the fact that the registrar at Tryon, in Polk county, refused to register a voter who could not make oath that he had been in the State the length of time required by the law. For this the voter had the registrar arrested by a Federal officer and ex-Congressman Settle was sent down to collect evidence. Gudgev's vote in the Tryon box was 70, and even if it were thrown out would not give Moody a majority. Also Republicans are hinting that Gudgev's majority in Rutherford was not fairly obtained, but they have not yet made any definite charges.

Though the official Senatorial vote is not all in, it seems certain that Cathey (Democrat) is elected in the Thirty-eighth district and Axley, Republican, in the Thirty-ninth. F. L. MERRITT.

## BLACKBURN TO GIVE IT UP.

### Friends say it is his Purpose to Retire From Politics

(Special to News and Observer.)

Winston-Salem, N. C., Nov. 7.—Congressman Blackburn passed through the city this evening on his way to Washington. He admits his defeat by Hon. Theodore Klutz by one thousand or more, but thinks he put up a stiff fight. He said there was no truth in the report that he wrote a party in Salisbury that he did not expect to contest his opponent's election. However, I was informed by two of Blackburn's friends that he has no idea of contesting. It is his purpose to retire from politics and settle down to the practice of law.

## WEBB'S EXACT MAJORITY

### The Ninth Congressional District Rolls up one of 5,686

(Special to News and Observer.)

Shelby, N. C., Nov. 7.—The exact majority of Hon. E. Y. Webb, of the Ninth Congressional district is 5,686.

## Senatorial Vote in Anson.

(Special to News and Observer.)

Wadesboro, N. C., Nov. 7.—Hon. Cyrus B. Watson received 237 more votes in Anson than all the other Senatorial candidates. Here is the vote: Watson, 774; Carr, 328; Overman, 185; Craig, 18; Alexander, 7; Hoke, 1. Watson's majority over all, 237.

Perhaps it is due Messrs. Craig, Alexander and Hoke to say that they made no fight in the county which, probably, accounts in some measure for the small vote received by them.

## Cathey Elected Senator by 335.

(Special to News and Observer.)

Sylva, N. C., Nov. 7.—My official majority in the district is three hundred and thirty-five.

## DENNIS MURDER MYSTERY.

### Arrest of Richard Cole, a Colored Porter on Suspicion.

(By the Associated Press.)

Washington, Nov. 7.—Richard Cole, a colored porter, 20 years old, was arrested today and committed to jail to await the action of the grand jury on the charge of committing assault on Mrs. Ada Gilbert Dennis, a well known dress maker, at her home in this city, over ten months ago. Mrs. Dennis died from her injuries about a fortnight ago, without recovering sufficiently to talk rationally.

Julius Van Brakle, colored, formerly proprietor of the Brunswick hotel, testified today before the coroner's jury that on March 19th, Cole had said something to him to the effect that he (Cole) would be a happy man if Mrs. Dennis was dead, and also had said once when he looked worried: "Yes, if you had on your mind what I have on mine, you would look worried, too." Van Brakle said Cole made certain statements regarding the reason why he did not care to visit the sick woman, among other things that Mrs. Dennis might say something which might reopen the investigation. Detective Hartigan, who has been working on the case ever since the crime was committed, testified that Cole is the only person, among those he investigated who wavered in his statements. Cole, who also testified before the coroner's jury, denied, making the assault, and protested that he had assisted the authorities. He also denied using language attributed to him by Van Brakle.