

Asheville Daily Citizen.

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ASHEVILLE, N. C. THURSDAY EVENING, APRIL 11, 1895

PRICE 5 CENTS

A New Broom

SWEEPS CLEAN!

Lay aside the old one
And buy a new one.

Our No. 1.....15c
" 2.....20c
" 3.....25c
" 4.....30c
" 5.....35c

Take your choice, you will get your money's worth in any of them.

A. D. Cooper,
NO. 2 COURT SQUARE.

Reduction in Prices of

HUCKIN'S SOUPS

We are now offering

Quarts at 30c. and Pints at 15c.

We have Tomato, Mock Turtle, Beef, Ox Tail, Okra or Gumbo, Vermicelli, Julienne, Mullgatawny, Consomme, Green Turtle, Terrapin.

POWELL & SNIDER,
"The White Corner."

BON MARCHE

An extra nice stock of Dry Goods at extra low prices are arriving daily. Two big drives for

Friday, April 12th,
From 10 a. m. To 6 p. m.

Double Width Irish Lawn,

7c a Yard.

Toweling or Crash,

3c a Yard.

Watch this column daily for new bargains.

BON MARCHE

37 SOUTH MAIN STREET.

"Play Ball!"



Base Ball Supplies

BLOMBERG'S
17 Patton Ave.

Swannanoa Ice Co.

BILTMORE, N. C.

Easter Shoes!

Why not Easter shoes as well as bouquets of dresses? Many women think they can better neglect any part of their attire than to have shabby or ill-fitting shoes. We have them from \$1.00 to \$5.00. The latest styles and all widths. For reliable shoes or Oxfords, try.....

Spangenberg,
4 N. Court Square.

Easter Presents

AT THE
CRYSTAL PALACE.

Rabbits, Chicks, Eggs, Novelties, Flower Baskets for the children, and many other pretty and appropriate things.

SPRING IS HERE

WE ARE READY FOR IT WITH A

Large stock of Cream Freezers, Gasoline and Oil Stoves, Ice Chests, Coolers. Don't buy till you see our low prices.

THAD. W. THRASH & BRO.

EASTER NOVELTIES



ARTHUR M. FIELD LEADING JEWELER.

STYLISH, WELL-MADE CLOTHING for men, boys, and children—a superior line showing large reductions from former years.

HATS AND CAPS OF ALL KINDS, including a very handsome lot of Straw Goods.

UNDERWEAR, MEN'S FURNISHING GOODS, PARASOLS, HOSIERY, AND GLOVES, CORSETS, ETC.

Almost everything that is desirable.

DRESS GOODS, SILKS, VELVETS, WHITE GOODS, COLORED PERCALES, DUCKS, GINGHAMS, LAWNS, ETC.

A grand assortment, from low grades up to very fine.

BUTTERICK'S PATTERNS.
M. Redwood & Co.

Heinitsh & Reagan,

MALT EXTRACTS.


Hoff's Malt With Iron.

Hoff's Malt Plain.

Tarrent's Malt

And Pabst's "Best Tonic."

AGENTS FOR



TESTIMONY FOR JESSE SUMNER

HIS BROTHER AND WIFE ON THE STAND.

Application Before Judge Jones on a Writ of Habeas Corpus—The Relative Positions of House, Stables, Fences and Scene of the Tragedy.

The petition by writ of habeas corpus in the case of Jesse Sumner, who was committed to jail on Monday last charged by the verdict of the coroner's jury with having caused the death of Ernest Sumner and Charles West near Long Shoals in Limestone township on the night of April 5, was heard before Judge Thos. A. Jones this morning.

After arguments of counsel on the question of upon which side rested the burden of proof, Judge Jones held that Sumner had been properly committed and that the petitioner must introduce evidence.

Petitioner's counsel offered the stenographic notes taken at the inquest held by the coroner in the evening, and the notes were read by W. W. Jones.

J. B. Sumner.

John B. Sumner testified: Am a brother to Jesse Sumner. On the night of the murder about dark I started, with three others, to fire a sedgefield. Burnt off the field, and I said I was feeling badly and would go to the house. Went to the house and to bed, and soon heard hollering. Wife went to window and we heard cries of somebody in distress. I dressed and went into my vineyard. Heard crying and taking on and went toward Sam Sumner's. Called McHaffey, and told him to run up quick to Sam's and to come back and tell me what had happened. McHaffey returned and said Sams told him Ernest was killed. West wounded and that Jesse Sumner had done it. I said I'd go up.

Then I went outside and went with McHaffey to Jesse's house. Went in and asked Jesse what the trouble was. Jesse said he didn't know; that he had heard a gun fired, and had gone out to his stable. I told him he was accused. Jesse said he had done it. Told Jesse he would likely be arrested, and if he was I would come up. I went home and to bed, and after a while McHaffey came and then Jesse came with the officer. I told them to come in, up stairs. I got up and wetwashed and I dressed again and we went up to Jesse's together. I was feeble, not well, and told the officer I had been up there once, but went. My brother gave the coroner his gun. The officer asked me to go where the boys were lying, and we went with Ernest was lying dead. We talked around till daylight, and I then hit out up and came to town.

Live 1600 feet from Long Shoals bridge. It is about half a mile to Jesse's from my house. Sam Sumner lives next to me, toward Jesse's. It is five or six acres from Jesse's porch to the highway. There is no fence between his house and the road. His garden is across the road. His stable is about 80 yards toward the river from the house. It is 20 yards from the back of the stable to the stable. The stable is a long double log one, parallel with the road. The fence is a tall plank fence. There is a shed behind the stable. It is 20 yards from the stable. From the far end of the lot if one looks back he can see a small part of the shed. A pine bush obstructs the view of the shed from the highway.

The moon was low in the east that night. Could not have seen by moonlight that night at the angle. The shed at that point would have been in shadow. The fences are very high both the rail and the plank fence. Don't think a person could have been distinguished under the shed that night. It is about 77 yards in a direct line from Jesse's house to where the body of the boys was lying. From the turn in the road to Jesse's porch 30 yards, or 60 some odd yards. There is a row of large oaks in between the house and the road, looking from the forks of the road. Don't think you could distinguish a person on Jesse's porch, because of the trees. There is a V shaped piece of land at the forks of the Arden and Long Shoals roads. It is 700 yards from where the shooting took place to where Erwood and Mrs. Newman say they heard the shooting. The road curves and there is a solid piece of wood between where they were and where the shooting took place. Don't think the shooting occurred there is a fork of the roads. A clear field is in front of the shooting spot, and a fair view to Riley Powers' house. On the right hand side of the road, looking between where the boys were lying, there is a thin plank one field of turnips, then a clover piece and an orchard. The turnip patch and orchard were plowed a few days before the shooting. Brother and I were in the apple orchard that day trimming the trees. Also in the sedge field. I went home. Jesse has five sons. These boys work all over the farm. The sedge field is his pasture.

As I went back that evening from Buck Shoals, it was about sundown, Jesse was leaning on the palings talking with John Taylor. Jesse's house has a hallway through it. The partition between the rooms is a thin plank one. They say the boys sleep upstairs. Have often seen Jesse's guns, a Winchester and a single-barreled breech-loading about gun. His best boy claims it as his. I know where the spot is some parties say the shooting occurred. The shooting was toward the northeast. The road is washed, 4 1/2 feet below the bank. A level on the fence to the road where the men were on horseback would be about five feet. On a level from the top of the fence a man would be shot about at his elbow. Have often seen the sorrel mule with white face; it is a small one, and smaller than the one on which Taylor sat when the level was made yesterday. It is not possible to shoot over the top of the fence and hit the mule or the saddle. Examined the fence yesterday in company with others, and there are no marks of shot in it. Ernest Sumner weighed about 140 pounds.

Cross Examination.

Cross examined: I a man stood behind the pine pointed out to me and fired at the boys they could not have hit them as described. If the man had laid on his belly and poked a gun through the fence he might have hit them. When I went to Jesse's he told me he was at the stable when he heard a gun fire. The stable stands east and west. The west end of the shed is open. A person can begin to see into the end of the shed when within five steps of the far corner of the lot. The shed is as long as the stable. A man in the road can't see into the end of the

ALL ABOUT U. S. COMMISSIONERS

SENATOR PRITCHARD SAID TO CRITICISE JUDGE DICK.

The Judge Refused to Listen to Applications Made on Political Grounds—Ewart and Other Republicans as Hot as Pritchard.

There seems to be a stir among the Republicans that has grown out of a motion made by District Attorney Glenn at the last term of the United States Circuit court here, to ask for the re-appointments of U. S. commissioners throughout the district. The idea was to have this done and reappointments made so that the appointments would be only one commissioner for each county, under the belief that the arrangement would work a saving of public money and stoppage of many frivolous prosecutions.

Deputy U. S. Court Clerk Moore says a few of the commissioners did resign in the Federal Reporter of February 26, 1894. Judge Dick's opinion on the motion is dated, occupying several pages. In closing Judge Dick says: "The pending motion is dismissed, but this action of the court is by no means intended to prevent or discourage the District Attorney from making application for the removal of any one or more of the commissioners for corruption, incompetency, inefficiency, bad moral character, want of public respect or any other sufficient cause of removal." Judge Sumner concurs in this and says: "Indeed, as the learned Judge who presides over this district in his well-considered and instructive opinion has said, occupying several pages in this question, every commissioner in the Western district has a right to expect support if he conduct himself faithfully and full notice of any charge to the contrary." It appears from this that there would be no resignations and re-appointments. But there is evidently a new turn in the matter, according to the Greensboro Record, from which the following is taken:

"The atmosphere in the Benbow House office is blue. Senator Pritchard is here to look after the appointment of U. S. commissioners. It seems that Judge Dick has called for the resignation of all the commissioners in the district. One of the best lawyers at the bar says this course of Judge Dick is illegal; that a commissioner cannot be removed except for cause.

"Senator Pritchard does not hesitate to severely criticize Judge Dick for what he regards as partisan conduct about the commissioning. The Senator asked Judge Dick to appoint some men because they were in every way qualified and good Republicans. Judge Dick said he would not listen to any application made on political grounds. This rather displeased Pritchard, and he is reported to have said: 'What do you think Gen. Grant would have said if he had been asked to appoint you because you were a good Democrat with a Republican skin?' Pritchard says he is tired of this non-partisan Republican position of Judge Dick which means playing into the hands of the Democrats.

"Ewart's grand jury is just about as Pritchard, and Jim Cheek and many lesser lights are here doing just as much 'cussing' as Pritchard. Judge Dick is certainly getting it from his Republican friends.

"A prominent Republican here says there is a great fight before Judge Dick about the commissioners, that District Attorney Glenn really does the appointing for the judge and that when there are two Democrats after the place, the fight is fiercer; but where there is a Democrat and a Republican, that it is a Democrat is appointed on non-partisan grounds."

KILL THE CUR DOGS!

The Damage One Rabid Animal Can Do in a Community.

MRS. HILL, N. C., April 9.—About two weeks ago a rabid dog passed through this section of the county, and bit many dogs and other domestic animals. Within the last few days there have developed into many fatal cases, terminating in death to animals. Sallie Honeysett, Merritt McHone and another person, whose name I have been unable to learn, each lost a cow by hydrophobia. Mr. Lee B. Ramsay lost three sheep, and many other cases are reported. One is that of a young cow near this place, belonging to Mr. Horace J. Carter.

The rabid dog that caused all this loss of property belonging to Mr. Z. C. Bryan, and was killed as soon as possible, but not until much harm was done. In consequence of the excitement many dogs said to be valuable, have been slain hereabouts.

A genuine case of hydrophobia in a community is much more efficient in aiding sheep and other animals than the laws enacted by the fusion legislature. No person has been bitten yet, though many dogs are yet at large that were bitten by the same dog that caused the first outbreak.

HIGH WATER.

Residents of Easton, Pa., Compelled to Take to Boats.

EASTON Pa., April 12.—Not since December 11th, 1878, has the Delaware river been as high as now. It is 27 feet above and still rising. The old Delaware bridge, built in 1805, is in danger. The Edison electric light plant which furnishes power for the transit company is partly submerged. Front street, between Spring, Garden and Church streets, was flooded, the residents moving out in boats. All the industries along the Delaware and Lehigh were compelled to shut down.

CONDENSED TELEGRAMS.

Mrs. Jefferson Davis and Miss Winnie arrived in Richmond Wednesday for the purpose of being present at the reinterment in the Davis section in Hollywood cemetery of the remains of young Jefferson Davis, who died in Memphis some years ago of yellow fever.

A. Coke Smith, jr., the 16 years old son of Rev. Dr. A. Coke Smith of Norfolk, Va., accidentally killed himself this morning while on a gunning expedition.

Meat is dearer today in New York than it has been for 23 years. Porter house steaks are 30 to 35 cents a pound.

Wm. A. Shafer of Franklin, La., has been appointed cadet to West Point military academy.

Ho! For Easter!

Make the Children Happy.....

100 eggs can be dyed six beautiful colors with a 5c. package of.....

GERMAN EASTER EGG DYES,

ALSO

PAAS' CALICO PAPER DYES, 12 Colors 5 Cents.

PAAS' TABLET DYES, Solid Colors, 6 Colors 5 Cents.

HICKERMAN'S DYE CHIPS, 6 Colors 5 Cents.

Call early if you would be sure to get an assortment. See the laying hen in our show window.

RAYSOR & SMITH,

Prescription Druggists,

Smoke Saborosos!

WEISBERGER'S

Clothing

And Gent's Furnishing Store,

Will Be Open Saturday, April 13th.

17 S. Main St.

Latest Styles

At the

Lowest Prices.

Every Gentleman Can't Afford a.....

New Suit for Easter!

But All Can Have a New Tie.....

The "Imperial"

Is the very newest shape for Spring and Summer.

The "Dejoenville"

Is very swell, worn by the best dressers.

The Four-in-Hand

and Club Hour are always popular.

The Teck Bow

is the most convenient tie worn.

The Very Latest Effects and Largest Variety.....

The Men's Outfitter,

HOTEL BERKELEY.

Easter Hats

At Sumner's!

Easter Hats

At Sumner's!

Easter Hats

At Sumner's!



Easter Bonnets

At Sumner's!

Easter Bonnets

At Sumner's!

Easter Bonnets

At Sumner's!



MILLINERY

Of All New and Stylish Designs At

SUMNER'S

Sumner's is crowded, moving out their big line of Spring Dress Goods. Just in this week another big line French Satines, French Satin Checks and Silk Gingham.

Another big line of Lace Curtains received, will go on sale Monday, April 15th.

100 pairs, 9 feet by 4 feet wide, worth \$2.00, at 97c.

100 pairs, 9 feet by 4 feet wide, worth \$2.00, at 87c.

These beat all competition and are new and clean.

Big line new Satines and Silks for the next week.



Sumner's