

Statement by Counsel for Ernest Haywood

Propose to Show Self Defense — Important Testimony of R. N. Simms. Habeas Corpus Proceeding to Be Instituted Soon

ner hurry out into the street. He had a hesitating movement, and tottered. Mr. Simms looked away for a moment, and when he turned back toward him Mr. Skinner had fallen on the street. So far as is yet known, no counsel for the prosecution has yet been engaged. Of course the solicitor, Mr. Armistead Jones, will prosecute when the case comes to a hearing. Among the counsel for the defense are James H. Pou, Argo & Shaffer, W. H. Day, J. N. Holding and W. C. Douglass.

The Character of the Wound

When the autopsy was held by Dr. Knox at the residence Saturday night under the direction and in the presence of the coroner and jury it was found that the bullet entered the left side on a level with and about three inches back of the left nipple. It grazed the heart, penetrated the descending aorta, went through both lungs, and was found resting between the seventh rib and the skin in the right side, having passed almost through the body. Dr. Knox was assisted in the autopsy by Dr. Hines, Dr. Battle and Dr. Graham.

As soon as the shooting occurred Mr. Haywood gave himself up to Deputy Sheriff Separk and the two walked to Mr. Haywood's office in the Tucker building, where they remained for some time. Later, about 4 o'clock, Mr. Haywood was carried to the sheriff's office where Justice of the Peace Marcom prepared the warrant on affidavit made by Mr. Separk and Mr. Haywood, through his counsel, Mr. James H. Pou and Messrs. Argo and Shaffer, waived examination and was committed to jail.

Deputy Separk's Statement

When the warrant was issued Deputy Separk was sworn by Justice Marcom and made a statement of the shooting as he saw it and of the subsequent surrender of Mr. Haywood to his custody. He said:

"About 4:30 o'clock this afternoon I came out of the court house and started toward Davis street. I had gone about ten steps when I heard a pistol shot and turning about saw the second shot fired. I saw Haywood standing this side of the main entrance to the post office. Mr. Skinner was in the street at the time I saw him. I saw Skinner make a motion as though to throw his hand toward his hip pocket. Then I saw him turn around, stagger and fall across the street car track. At least it looked so to me. He was head-headed at the time. As soon as the second shot was fired I ran toward Mr. Haywood and as I came to ten or fifteen steps of him I called him 'Ernest.' He turned around and said 'All right.' And asked me to walk up to his office with him. When we went into the office Mr. Crocker came up. I asked Haywood to give me his pistol. He gave it to me."

After the proceedings before Justice Marcom in the sheriff's office Mr. Haywood was carried back into the jail and given a cell on the second floor. Relatives sent down bedding, etc., with which he was made comfortable for the night.

The Coroner's Inquest

The incidents of the shooting were well brought out by the examination of witnesses before the coroner's jury, which was first empaneled at the residence by Dr. Jordan for the autopsy and continued later in the evening at the court house. The result of the autopsy is given above. One witness was examined at the house. That was Susan McCullers, colored, who cooks for Mrs. Ludlow Skinner. She testified that yesterday being her afternoon off she was up town on Fayetteville street and Haywood fired the second shot and saw Ludlow Skinner fall.

The court of inquest took a recess

after the autopsy at 8 o'clock until 9:30 at the court house.

The jury consisted of Mr. C. B. Edwards, Mr. Fred Habel, Mr. T. H. Murray, Mr. Thos. S. Stevenson, Mr. Jno. Duckett and Mr. W. S. West.

The investigation at the court house began at 9:30 o'clock. A small crowd was present and watched and listened to every word said.

C. B. Edwards, Jr., was the first witness. He said:

"I live in Raleigh. I was coming up Martin street and had gotten to the post office corner. When I got to the corner of the sidewalk I heard a shot fired near the southeast corner of the post office. It sounded like a cannon-cracker and caused me to turn, and as I turned I saw Ernest Haywood fire what I had good reason to believe was a pistol.

Ques.—Was that the second shot?
Ans.—Yes. The second shot, I saw him fire towards the middle of the street and I glanced to see what he had fired at. Then I saw Ludlow Skinner in about the centre of the street with his back to the post office, going towards the east side of Fayetteville street. I cannot state positively whether he was running or not, but he seemed to be trying to. He went a few steps further and turned around, facing the post office. While Skinner was staggering I glanced back to see where Haywood was, when he fired the second shot, and saw Haywood either in the act of putting the pistol in his pocket or taking his hand out after putting the pistol in.

Then, looking back at Skinner, I saw him totter and sink to his knees, and then saw his face fall forward. I did not see Skinner have any weapon. He was about in front of the middle steps and was going east (towards the restaurant or Denton's bar). Haywood was standing very near the southern end of the post office and was near the edge of the pavement, next to the little plot of grass.

Ques.—Did you see Skinner's body after the shot? Did he speak?

Ans.—Yes, I saw him. He only gasped once or twice and I don't believe he spoke.

I do not see Skinner until after the second shot and after he put his hand on or above his side or hip.

The above was in answer to a question whether Skinner attempted to draw a weapon.

Sale's Evidence

T. P. Sale, sanitary inspector, was called. He said that he was standing at the corner of the Berwanger building, up the street, and heard two shots. I immediately came down and a big crowd surrounded Ludlow Skinner. I went to the body and sent some one to telephone the undertaker. Some one suggested that we ought to see if there was a weapon on him, and as Dr. McGee, Jr., was feeling Skinner's pulse I told him to look for a gun. He looked and found one, and then I also felt of it. Several of us took Skinner's body to James I. Johnson's drug store, and as we straightened the body out on the counter I took the pistol from his hip pocket. I do not believe any one had touched it from the time I saw the body until then. I then gave you (Coroner Jordan) the pistol. I have not looked to see if the pistol is loaded."

Here Mr. Sale said he believed the pistol exhibited was the one and had it examined. Five unfired cartridges were found in the chamber. "I believe that Skinner was dead when I got to him. He gasped twice."

A H. Green's Evidence

A. H. Green, a farmer, but a resident of Raleigh, was sworn and followed up with the following evidence: "I was standing in front of Cross & Linehan's, and I heard a pistol report. I located it at the southeast corner of the post office by the smoke from the powder. Then I heard another shot. I could only see a pistol and part of a man's arm. I couldn't recognize the man from where I stood.

"Seeing the pistol pointed across the street on a line just about even with Turner's restaurant, or nearly there, I saw a man making his way across the street and the car track; then Skinner put his hand on his waist or side and turned, and as he came over the track he fell on the east rail from the post office. I didn't recognize the man. Then came the big crowd, and this is all I know. I think it was his left hand that Skinner put to his waist and was put on his side just above the hip. I believe he put his hand there on account of pain. The body of the man who did the shooting was hidden around the southeast corner of the post office. Nothing beyond seeing the powder smoke and extended arm indicated the man who fired the shots.

Ques.—Was Skinner running to get away?

Ans.—He was walking a little hurriedly and at more than an ordinary gait.

C. A. Separk's Evidence

C. A. Separk, deputy sheriff, was called and made this statement: "Between 4 and 4:30 o'clock, but nearer 4:30 I came out of the courthouse and had gone about ten steps south of the court house when I heard a pistol fired. I turned and saw the flash of the second shot and then ran up towards the post office. I saw Ernest Haywood standing between the main steps and those at the southern end of the post office. I saw this after the first shot when I turned and saw the flash of the second shot and then ran Ernest Haywood standing between the main steps and those at the southern end of the post office. I saw this after the first shot when I turned. When the second shot was fired I saw Skinner and he immediately turned and faced Haywood. Then I saw him throw his left hand back on or towards his hip. I don't know what he was after. Then Skinner staggered and fell across the street car tracks. I ran up within about ten steps of Haywood and calling him:

"Ernest"
"I think he said: 'Of course.' I then put my arm in his and said:
"You will have to go with me."
"Why certainly," said he and then asked me if I would go with him to his

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office. I said that I would. When we got in his office I asked him for his pistol, and he gave it to me. Then he sent for his lawyers."

Here the witness was requested to break the pistol and examine the cartridges. He did so and found two empty shells.

The gun was a Smith & Wesson hammerless, .33-calibre, centre fire.

Coroner Jordan read Mr. Separk's evidence to him for him to sign as accurately taken. He corrected a portion of his statement so that it read as follows:

"I have no doubt but that Haywood did the shooting but I could not swear that he did it. I was satisfied that he did the shooting or I would not have arrested him.

"I was opposite Judge Russ' window when the second shot was fired. I never saw the pistol until Haywood gave it to me in his office."

THE VERDICT

There was only a short interval between the ending of the hearing and the decision of the jury. They retired from the court room and went to Dr. Jordan's office where they rendered the following verdict:

"WE THE CORONER'S JURY FIND THAT J. LUDLOW SKINNER MET HIS DEATH BY A BULLET FROM A REVOLVER IN THE HANDS OF ERNEST HAYWOOD."

What the Neighbors Saw

Mr. W. M. Russ said yesterday evening, in speaking of the shooting, that Mr. Haywood was in his office (the clerk of the court) not five minutes before the shooting. He came in to have some deeds probated, paid the fees, and he (Mr. Russ) had barely had time to write the title on the papers and put them in a drawer of his desk before he heard the report of the first shot. Then he turned to the window, saw the second shot and saw Mr. Skinner fall.

Mr. Tom Woods, an employee of the mailing department of the Post, was an eye-witness of the shooting. He passed Mr. Haywood and Mr. Skinner as they were talking close by the entrance to the post office. They did not appear to him to be quarrelling. He did not see the first shot, but turned in time to see the second shot and the killing of Mr. Skinner, his account being in line with those of other eye-witnesses quoted.

The trial will probably occur at the March term of superior court for the trial of criminal cases, beginning on the 23d.

IN MEMORIAM

LUDLOW SKINNER.

I come to pay a tribute to my dead friend—Ludlow Skinner. Those who knew him best loved him most. He was pure in speech and gentle as a woman. In all the years of our association I never knew him to utter a word I would rather he had left unsaid or do that which I would rather he had left undone. Mild in manners and unobtrusive almost to the point of diffidence, he was strong in rectitude, steadfast in principle and faithful in all things—a Bayard in courage, a Sir Gallahad in gentleness. His rude death came as a shock to his many friends for no one thought he had an enemy in all the world. He leaves behind him in this community the record of a blameless life and to his family he leaves the legacy of an honored name.

CHAS. E. JOHNSON.
Raleigh, N. C., Feb. 23, 1931.

A special convocation of Raleigh Chapter, No. 19, R. A. M., will be held this (Tuesday, February 24, 1931) at 7:30 o'clock at Masonic Hall. Work in Past Master and Most Excellent Master's degrees. Visiting Companions cordially welcomed. Please attend promptly. By order of
W. E. FAISON, H. P.

IN SOCIETY

Mr. and Mrs. T. C. Harrison are at the Yarbrough, returning from New Orleans. Mr. Harrison will leave tonight for Weldon while the latter remains in Raleigh a few days.

To Attend Wedding

Greensboro, N. C., Feb. 23.—Special—The following relatives of the bride and groom will leave here tonight to attend the marriage at Rockingham, Richmond county, on Wednesday, of Mr. William R. Land of Hamlet to Miss Mary LeGrand, daughter of the late James T. LeGrand of Rockingham; Mr. and Mrs. John N. Wilson, Mr. and Mrs. W. E. Harrison, Misses Mamie Harrison, Annie Land and Mr. W. R. Lann.

A Violet Luncheon

Miss Pattie Lewis gave a most delightful violet luncheon at her home, "Cloverdale," last Tuesday. The color scheme, violet, was carried out in the menu which was delicious and elegantly served. Those present were Misses Alexander of Chapel Hill, Sallie M. Leach of Littleton, Mary Andrews, Mary Thompson, Rebecca Chambers of Charlotte, Sallie London, Venable and Williams.

THE JONES ARRIVE

Delightful Party Now at "Arlie" Enjoying Its Great Hospitality

The Wilmington Dispatch says: Mr. and Mrs. Pembroke Jones, their daughter, Miss Sadie Jones, and a number of their New York society friends have arrived on private cars Nos. 300 and 302. The party took a trolley car at the Front street station and went through to the sound on the suburban line. Mr. and Mrs. Jones will entertain at "Arlie" for a couple of weeks and all who are fortunate enough to be their guests will spend a delightful season at the magnificent winter home of the Joneses.

Before the middle of March Mr. and Mrs. Jones will sail for Europe to spend several months abroad. The party was met at the station by a number of Wilmington friends.

An Appreciated Gift

The choir of the Church of the Good Shepherd have shown their appreciation of the organist and choirmaster, Mr. Wade R. Brown, by giving him a pleasant surprise on his birthday. An elegant framed photograph of the choir, finished in Wharton's best style, was presented to him in the church last Sunday before service, accompanied by the following card:

"Wishing you many happy birthdays spent with us.
THE CHOIR."
Mr. Brown says he does not know what he has done to deserve such treatment, but the choir, the rector and the congregation say it is because never before in the history of that church has such excellent music been heard, and that Mr. Brown deserves all he gets.

A True Statement

As there have been various statements concerning the amount of legislative appropriations for the annual support of the state institutions for higher education, we publish the following, taken from the treasurer's books:

Appropriations for support of institutions for each year, 1901 and 1902:	
University	\$37,500
Normal and Industrial	25,000
A. and M. College	17,500

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Tuesday Night, Feb. 24

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GORTON'S Minstrels.

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See the Finest Minstrel Parade on Earth.

Seats now ready at Bobbitt-Wynne Drug Company.

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Orders for Ariz., Cal., Col., Idaho, Mont., Nev., N. Mex., Ore., Utah, Wash. or Wyo. must be on the basis of 4 quarts for \$12.00 by Express Prepaid or 20 Quarts for \$12.00 by Freight Prepaid.

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