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1800

MRS. LOTTIE B. COWARD FACES MURDER CHARGE

Spring Creek Woman Charged
With Shooting Husband
To Death

FRISBY CASE CONTINUED WITH
PRICE TO GO ON TRIAL FRIDAY

Other Interesting Cases On Septem-
ber Term Calendar

(By GLENN W. NAVES)

Charged with shooting to death her husband, the late Shuford R. Coward, on Friday afternoon, April 27, 1928, following an alleged quarrel at their Spring Creek farm home, Mrs. Lottie B. Coward went on trial shortly after noon Thursday, thus placing before the September criminal term, which convened here Monday morning with Judge P. A. McElroy, of Marshall, presiding, its most interesting and complicated case.

Through her counsel, George M. Pritchard, of Asheville, and John H. McElroy, and J. Coleman Ramsey, of Marshall, Mrs. Coward entered a plea of excusable homicide, the contention of the defense being that she acted only in self-defense and protection of her own life when she took her husband's life, her original story told on the night of the tragedy, having been to that effect.

With an imposing array of State and defense witnesses slated to testify, none of whom have made any sworn statements so far, due to the waiving of preliminary examination by Mrs. Coward, who was released under bond of \$3,500, the case is attracting much interest, and the trial is expected to be rather closely contested, since the private prosecution has employed by the private prosecution and will appear with Solicitor Robert M. Wells.

Old citizens and veteran members of the Madison County Bar have stated that to the best of their knowledge, Mrs. Coward is the first woman to ever face trial on a murder charge in the history of the County's legal system.

Brief History of Case

Upon receiving news here on the night of April 27 that Mr. Coward had been killed, Sheriff R. R. Ramsey, Dr. Frank Roberts, County Coroner, and others went to the home, 32 miles from Marshall, to conduct an investigation. Arriving there, they found Mr. Coward dead, with two bullet wounds in his head. His hand was also punctured by a bullet, but it was concluded that all wounds were made by two shots. Meagre information gathered was to the effect that Mr. and Mrs. Coward had be-

come engaged in a quarrel, and, later, a scuffle ensued, during which the husband was shot, Mrs. Coward stating that the former fired two shots at her with a revolver and that when the gun came into her hands she shot him twice in self-defense. The two sons, both near 20 years of age, were away at the home of a neighbor at the time, it was said, and other than their mother, there were no eye-witnesses to the tragedy.

Trial of the case is expected to consume a great deal of time.

PRICE CASE

Charged with hurling his estranged wife, Mrs. Alene Price, to her death from a precipice on the French Broad river bluff, on Friday afternoon, June 29, Abe Price, 35, Southern telegraph operator, will go on trial Friday, should the Coward case be disposed of by then. At liberty under bond of \$1,000, Mr. Price, who has employed John H. McElroy as his attorney, will enter a plea of not guilty, he and his counsel have declared. R. R. Reynolds, of Asheville, is counsel for the private prosecution.

Mrs. Price died still unconscious, in the Marshall hospital early the following morning, and did not speak from the time she was fatally injured until death claimed her.

FRISBY CASE CONTINUED

The case of the State vs John R. Frisby, 68, well-known Redmon citizen and Constable of No. 1 Township, charged with shooting to death his son, Erna Frisby, 47, at the latter's home at Redmon, on Saturday night, August 4, 1928, was continued to the November term Monday morning, thus removing from the September calendar the most interesting of a listed trio of murder cases.

Mr. Frisby, represented by Mr. McElroy and Mr. Pritchard, whose case was partially tried, resulting in a mistrial at the August term, has entered a plea of not guilty, and is at liberty under bond of \$4,000, formerly \$5,000, and later reduced.

NOTE:—The News-Record regrets that due to the necessity of going to press on Thursday afternoon, the court term cannot be thoroughly covered in this week's edition. A number of interesting cases have been tried, with a number of defendants found guilty, being confined in jail pending imposition of sentence, while other cases have been not pressed, and continued. In our next edition we shall cover both the Price and Coward cases and give a complete account of court proceedings.

HUTCHINS PRESENTS HIS SIDE OF LIBELOUS REPORTS

McDevitt And His Lieutenants By Libelous Matter Undertake To Destroy The Character And Reputation Of Dr. J. H. Hutchins Republican Candidate For The Legislature

It has come to my knowledge from different parts of the County that N. B. McDevitt and some thirty of his supporters went to Kingsport, Tenn., last Saturday night for the purpose of procuring an affidavit from a woman who was supposed to have been a patient of mine in the Spring of 1923, while I was practicing dentistry at that place. I have nothing to cover up about this matter. Sometime in April 1923 the woman in question and another woman whom I did not know came to my office and had some dental work done. The women were in my office thirty or forty minutes. While I was treating the woman, the other woman was sitting in an adjoining room a few feet away with the door open between, and in plain view of the chair where I was operating. The two women in the meantime kept up some conversation in a rather gay manner, and while these women were there, there was absolutely nothing out of the ordinary transpired, and I treated the woman who was my patient in a gentlemanly manner, and without any improper conduct whatever. In the meantime I

had contracted Novocaine poison; my hands and arms were in bad condition and my physician previous to this time had advised me to return to the mountains and change climate, which had prepared to do.

About four or five days after I had treated the woman, I had packed my household and office stuff, preparatory to coming to Marshall. To my great surprise a man came into my office and stated that he was the husband of the woman whom I had treated, and said his name was Wampler. He stated to me that his wife had told him that while she was in my office that I had grossly insulted her, and informed me that I would have to make some arrangement about the matter or he was going to law me, and if he could not get a lawyer in Kingsport that he would go over into Virginia and get a lawyer. In about an hour he returned to my office where I was packing up, with an attorney. In the meantime, I had called my brother, Dr. Will Hutchins, who was there when this man came back with the lawyer. Wampler with the lawyer demanded some settlement out of me which I refused to make for the reason that I was absolutely innocent of any misconduct. My brother reasoned with me that they had the advantage of me, and that as I was ready to leave that it would be better to suffer to be blackmailed and to pay something than to be held up and have to go through a legal procedure.

I left the next day for Marshall as I had formerly planned to do, and

GREAT PLANT TO LOCATE NEAR ASHEVILLE, N. C.

The great Rayon Plant to locate near Asheville means much to all our State and especially Western North Carolina. Following are some points from last Sunday's Citizen:

ENKA IN A NUTSHELL

The plant will be the largest rayon mill in the world.

It will employ 5,000 persons, 2,000 men and 3,000 women.

The annual payroll will be about \$6,000,000.

The plant will cost \$10,000,000 and construction work will begin this week. (This work has already begun.)

The land, which is opposite the Valkyrie dairy, cost Enka \$750,000.

Two miles of railroad siding will be built for the plant.

An impounding dam to hold 150,000,000 gallons of water will be built.

Enka will use 5,000,000 gallons of water a day.

When the Enka village has been completed it will house 25,000 persons, which will give Asheville a population of more than 100,000, making this city the largest in the Carolinas.

Enka will manufacture only raw rayon. The thread will be sold to other manufacturers for weaving into cloth.

Enka will bring other industries here. Such plants invariably follow a rayon plant so as to be near the source of raw materials.

Enka will use spruce wood, both from Canada and from Western North Carolina forests, to make rayon.

Enka officials will reside in Asheville for several years or permanently.

Local labor and materials will be used in every instance possible.

The Enka site comprises approximately 2,000 acres of land.

The plant will consume 30,000 to 60,000 tons of coal annually.

The plant will use 125,000,000 kilowatt hours of electric power annually.

The plant will consume about 6,000 tons of sulphite pulp annually and about 35,000 tons of chemicals.

The plant will operate on three shifts, running continuously from Monday morn to Saturday evening.

The value of the annual production will be about \$10,000,000.

Paving, street railway lines, bus lines, telephone lines and water mains will be extended to the plant.

Dr. A. F. L. Moritz will have charge of the plant. Dr. Moritz, his wife and six children will live in Asheville, the children attending school here.

Work will begin on the grading for foundations this week.

More than \$3,000,000 will be spent in constructing the plant.

The plant is supposed to be fully completed and operating within 18 months.

The plant will cover 75 acres of ground.

Rayon is silk manufactured from wood.

left the matter in the hands of my brother to make whatever adjustment he saw fit.

In the adjustment a note for five hundred dollars was given, or possibly there was some cash given; and the note was cashed in at the bank by the accusers for fifty per cent. It was the intention of my brother Will to give the note, and refuse to pay it upon the grounds that it was given under duress or pressure. But when he came to investigate the matter he found that the note had passed into the hands of innocent purchasers, and decided that further investigation would not for this reason defeat payment of the note. The charge that I had any misconduct, or attempted any misconduct with this woman at the time mentioned or at any other time is absolutely false and without any foundation, and that what I have here stated is absolutely true and correct.

This man Wampler continued to live with his wife until four years afterwards, when he was convicted

that she was a bad woman and procured a divorce from her in the Chancery court of Sullivan Co., Kingsport, Tenn. This matter was absolutely a frame-up on me for the purpose of black-mail and this woman has the common reputation of having black-mailed others in the same way, and as a matter of fact has black-mailed at least two other men, and is now reported to be of very questionable character.

In corroboration of this statement I here offer the affidavit of C. E. Wampler, the former husband of this woman, which is as follows:
STATE OF TENNESSEE:
COUNTY OF SULLIVAN:
Personally appeared before me, B. H. Kinkead, a Notary Public in and for the State and County aforesaid, C. E. Wampler, with whom I am personally acquainted and made oath in due form of law as follows:

I was at one time the husband of Nora Wampler, who, I understand, is now a resident of Johnson City, Tennessee. About five years ago my

FOUNDERS DAY EXERCISES AT MARS HILL COLLEGE

LETTERS FROM R. L. MOORE
AND J. A. McLEOD CONCERNING THIS EVENT

The program for the Founders' Day celebration at Mars Hill College held annually on October 12, will this year be devoted to former students, according to plans announced by President More. Last year teachers of the past and present were honored, and the years before tributes were paid to the benefactors who have contributed to the endowment and physical equipment of the institution.

Effort is being made to have as many as possible of the alumni to return. Each of the four literary societies on the campus is issuing invitations for a reunion of its former members. Two of the societies, the Euthalian and Philomathian, will hold their joint program on the evening of the 12th.

Many from a distance have expressed their intentions to be present for the occasion. President Moore is eager that every alumnus or alumna if possible from Madison and nearby counties be present.

J. A. McLEOD.

Founders Day, October 12, 1928
The program this year magnifies the place of the student in the mak-

ing of a school, and all the speakers have had training here.

In the morning Rev. J. Ben Eller, reared in the Jupiter section, now pastor of the First Baptist Church of Statesville will speak. He will be followed by Rev. J. Marcus Kester, pastor of the First Baptist Church of Wilmington.

In the afternoon the Euthalian and Philomathian literary societies will join in an Anniversary program consisting of a debate, orations, and declamations, all brief, and it is hoped, of usual excellence.

At night the Societies will hold reunions to which all former members are invited. Preceding the reunions the college will give a complimentary dinner at 5:30 P. M. to all former students who return. There are several score in Madison County who ought to come back for the dinner and attend the reunions of their literary societies. The interest being shown in this occasion indicates a large attendance.

At 5:30 P. M., at the complimentary dinner, special tables being provided for all returning students, grouped by societies, Dr. Zeno Wall, President of the Alumni Association, Shelby, N. C., will preside. Dr. Wall is well-known in this County.

wife made complaint to me about having been mistreated while in the office of Dr. J. H. Hutchins at Kingsport, Tennessee, where she had gone to have some dental work done. I called to see Dr. Hutchins and he denied having improperly mistreated my wife and denied having been guilty of anything immodest or improper. Thereafter I continued to live with my wife in Kingsport until I found that she was guilty of what I considered improper conduct with other men. I found that was corresponding with other men and that from the correspondence which I found there was no doubt but what she had been guilty of adultery with other men. I found my wife in company with other men on many occasions and under circumstances which resulted in a divorce suit being filed in the Chancery Court at Kingsport, Tennessee, in the year 1927.

I have found since investigating that charges against Dr. Hutchins were wholly false and I believe were made for the sole purpose of forcing him to pay money and for the further purpose of concealing from me my wife's relation with other men. I know that my former wife has brought similar charges against other responsible citizens and forced them to pay money for her silence and knowing her character as I have since found it to be I know that there was no foundation for the charges she brought against Dr. Hutchins.

I make this statement freely and voluntarily and because I feel that justice demands that Dr. Hutchins' name be cleared of this accusation.

C. E. WAMPLER.

Sworn and subscribed to before me this 25th day of September, 1928.

My commission expires on the 12th day of October, 1929.

B. H. KINKEAD, Notary Public.
The following is a letter from Hon. O. S. Hauk, of Kingsport, who formerly represented Sullivan County, Tenn., five times in the Legislature, which speaks for itself:

HOUSE OF REPRESENTATIVES
State of Tennessee
Nashville

O. S. HAUK
Kingsport
Representative Sullivan County
September 25, 1928

To Whom it may Concern:

I have been reliably informed that certain slanderous stories have been circulated in reference to Dr. J. H. Hutchins of some things that should have occurred while he was a resident of Kingsport, Tennessee. I know all of the parties connected with it very well. While Dr. Hutchins is of a different political faith of ours and never voted for me so far as I know at any time during the five consecutive terms that I have been elected from this County, I never questioned his honesty or character and that is a great deal more than I can say with the other parties connected with this affair. Dr. Hutchins was one of our very best citizens and was regarded as such by all of the best citizens of Kingsport.

I am perfectly willing and anxious to put to the severest test among the people of Kingsport. I appeal to the people of Madison County for fair play, and not to be condemned by the false, libelous and slanderous reports that I understand are being secretly and clandestinely circulated among the people in various parts of Madison County.

I know that it has been reported that McDevitt and some of his lieutenants have been accused of stooping to very questionable tactics, but I did not believe that he was capable of entering into such low-down, libelous, slanderous things as I understand that he is causing to be circulated in Madison County against me, for the purpose of fooling the people and unjustly prejudicing them against me to get himself elected to the Legislature.

The proposition has been brought to me, as coming from McDevitt sources or headquarters that if I would put up money to the McDevitt campaign fund that they would suppress these libelous stories, or if I would come off the ticket, they would have nothing further to say. I am in this fight to win and I have stood all the black-mail that I propose to stand for, and I do not propose to be black-mailed out of this fight by McDevitt and his henchmen.

I appeal to the intelligence and the sense of justice of the good people of Madison County.

I was reared in and have lived in Madison County all my life except the six years I practiced my profession in Kingsport and about one year in Yancey County, and have been back in Madison County for five years, and in all my career, if any person knows anything against my character and good name, except the FALSE and FRAUDULENT libel that is being circulated, let such person speak out.

J. H. HUTCHINS.
Subscribed and sworn to before me this 26th day of Sept., 1928.

A. W. WHITEHURST,
Notary Public.

While at Kingsport I was an active member of the Masonic Order, the Knights of Pythias, the Woodmen of the World, and a member of the Baptist church. I did NOT run away from Kingsport; I am well known there by the best people, and have frequently returned to Kingsport since I left there and still own property there.

I am perfectly willing and anxious to put to the severest test among the people of Kingsport. I appeal to the people of Madison County for fair play, and not to be condemned by the false, libelous and slanderous reports that I understand are being secretly and clandestinely circulated among the people in various parts of Madison County.

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Subscribed and sworn to before me this 26th day of Sept., 1928.

A. W. WHITEHURST,
Notary Public.

UP-TO-DATE BUG
(The Times of India)
I envy you, little firefly.
You worry not a bit;
For when you see a traffic cop
You know your tail-light's lit.