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FATHER'S AWFUL CRIME BUNCOMBE COUNTY

ORRIBLE BUOCHERY OF CHILDREN

Dr. J. V. Jay, a Physician of Barpardsville Slays His Three Children With a riammer-Had Been on a Protracted Spree-Now in Jail. Asheville, Oct. 17.-Trausformed into a weeks' nauch, Dr. J. V. Jay, a physician of prominence in the nor.hern part of Buncombe ounty, today drove his wife from home, rutally murdered his three children, and ttempted to burn down his house. The man became violent last night, and after roing home terribly abused his wife Mrs. lay had put the children to bed, and was endeavoring to quiet her husband, when

Thomas Dillingham, not far from where she lived, and spent the night. Returning to her home this morning she found her husand in a dangerous mood. The man even so:se than before. Jay was continually ooking for his pistol, threatening to exeminate the whole family. Mrs. Jay, lowever, had taket prossession of the re- end. wiver and hidden it from her husband.

he man attacked her and drove her out of

he house. She went to the house of

During the time that Jay was searching for he pistol, Mrs. Jay was engaged in preparing the morning meal, at intervals asisting the children to dress. When the shildren had beer dressed and Mrs. Jay had inally fluished getting breakfast, the brute ad worded himself into a frenzied mood

Failing in his search for the pistol he arm-

d hin self with a claw hammer, and with his chased Mrs. Jay around the house. The frightened wife, teeling that her own ife and the lives of her children were in langer, went out of the front door and tarted for the little grocery store, where

here was a telephone to ask the neighbors or aid, and to notify the officers at Ashe-As she reached the road she turned and

aw her three children standing on the top sep crying, and begging for her return. The mother stood for a moment in helples. gony, knowning that the lives of her childen were in danger, and knowing also that the was of her own strength powerless to shield and protect them. Her indecision was of but a second's duration. Stealing her heart to the cries of her little ones, she turned and ram with all speed possible for the store. There she hastily told the s.ory of the children's peril, and accompanied by several men who chan ed to be at the place, bastened back to her home. The mother had been gone but a few moments, but in that brief space the demon had done his work, and as she entered her home a sight met her eyes such as words of no language can describe. Lying upon the porch with the blood onzing from their heads lay her three children. The two oldest were already dead, while the baby was barely breathing. The men who accompanied tist." Mrs. Jay tenderly gathered up the little lifeless bodies to place them in the house, but the door was fastened and Jay was

called upon to open the door. This he

refused to do and declared he would kill

the first one who entered. It was then

had barricated himself in the room, and

entered. But this was not so. The man at that moment was preparing for selfdestruction. Without waiting another moment the men burst in the door, and as it swung open, instead of the crack of a pistol the men were greeted "Hello boys, come in, I am just starting a fire to get warm by." Jay was found standing over a quantity of burning clothing that he had gathered and placed on the floor near the fire-place. The men rushed upon him and succeded in extinguisng the flames. The man was slightly burned, but not seriously. His clothing was covered with the blood of his children as were his face and hands. Sheriff Reed was telephoned for, and the n.an was held untill he sheriff arrived.

Upon receiving word of the horrible tragedy this morning Sheriff Reed at once pottie | Coroner Hemphill, and then left for Barnardsy'lle,

Shriff Reed returned to Asheville before dark with his prisoner who appeared to only half realize the terrible deed he had committed. He is now in jail here. When is to be reckoued America's greatest speaks asked why he had killed his children Dr. Jay said he just could not help it after catching sight of their blood All Asheville is shocked by the tragedy. Dr. Jay is brother of W. N. Jay, who for many years he.d a position as deputy clerk in the office of register of deeds.

ALL PRAISE FOR HIM

A Country "Doctor" whose Deeds of Charity will Long Be Cherished in Gratified Memory By His People.

day and generation, although the world jury door, The judge was in the court does not hear much of their schievements. room; the prisoner, the solicitor, and Mr. land county, and he practiced in all that section of the country. He had a large and extensive practice and was an unit up. He didn't pretend to care for or look after his farm neither did he regard his own health and comfort as ought to be considered. His was an iron constitution. Few men could endure what he suffered and live to the ripe old age of 81. Sick for several months, weak and feeble, still his pulse beat strong and full right on until two minutes before his death-no Collumbia walked out a free man, was proquivering, no hesitation, no dieing awaybut strong, regular, healthy, vital to the Carolina court.

"Dr. Osborne never had the head ache in his life, and it was the rarest thing in the world that he ever contracted even a slight cold, and yet he took no thought nor care of himself-his own health. Many times he has been known to get up on a snowy morning and walk right out barefooted and stay for half an hour, probably, and come right in. with snow clodded up between his toes and sit down to read the newspaper or some book on medicine, without stopping to remove the the snow from his feet.

"Dr. Osborne was well read and was the general dispenser of information in all his section for many years. He always took many newspapers and kept fully verdict of not guilty. abr ast of the times. He manifested a keen laterest in all public affairs and was inthusiastic in what he believed ond never hesitated to take a stand. If he liked a man he would go his full length for him; do with him. There never was a womon -an impocent or mistreated woman-who appealed to him in vain for help. When any trial involving the rights or the character of a woman he believed to be innocent or imposed upon came on he was always there, and intensely in sympathy with the woman."-Cleveland Star.

NORTHERN MEN TALK.

Murat Halstead, of Cincinnatti Speaks Pleasantly of Governor Aycock.

"I like your Governor," said Mr. Murat Halstead, of Cincinnati, to an Observer man at Greensboro a few days ago. "But

is he such a good man?" "What do you mean, Mr. Halstead?"

"Why, I notice that all the apeakers in referring to Mr. Aycock call him a 'Chris-

tian gentleman.' Is he so eminently pious?" "He is a good man and a good Bap-

"I can easily believe he is a good man, tut why do they wish to ring the charges en 'Christian gentleman' so often? I can believe the speakers here are honest, but so much that it has come to mean derision. thought that he had found the pistol and It is not that way down here, is it?"

It is thought that it may come to that, Mr. Halstead." that death awaited the first one who

"Anyway, I like your governor," Mr. Halstead reiterated. "I liked him the first time I ever saw him. That was in Charleston I had gone with the Presideat to attend the exposition, and I saw Mr. Aycock at the banquet at the Charlesion Hotel. Governor McSweeney, of South Carolina, a little florid fell w, had made a speech that was full of flowers and in which he had occasion to say in a burst of oratory that there was no North, no South. Governor Aycock followed and his attitude was impressive. Very deliberately and in a way that impressed every man at

the banquet he said: "There IS a South-a great South.' He said a good deal that was worth hearing go. after that, but I shall always remember the quiet, sturdy way in which he declared, there is a South."

Mr. Halstead was tulkstive. He used the name of Daniel Webster several times. gwatest American orator?" asked the news- European governments to let her

"If general knowledge of a mau's go to war with somebody. sperches and if quotations from them be

Mr. Halstead was reminiscent for awbiand wound up by saying: "I voted the Democratic ticket twice in

For Mr. Cleveland both times, of · Hell, no; for Frank Pierce and Horace

JAMES H. TILLMAN AGAIN A FREE MAN

Jury Returns Verdict Some Interesting Deof "Not Guilty."

Lexington, S. C., Oct. 15.-Tillman has been pronounced "not guilty" by the Lexington jury. The jury retired yesterday at 1:42 and remained out until 10:30 this "Some men are a great blessing in their morning when a knock was heard upon the dent Samuel Spencer, of the Southern Such a man was the late Dr. J. E. Osbornes | Croft, Tillman's leading counsel, were sent who spent nearly fifty years of his life for and the jury came out and took their as a physician in No. 10 township, Cleve- seats. Several others of Tillman's leading counsel, were present and the court waited a while for the appearance of some others of the state's counsel, but they usually fine physician, especially in the did not appear, so the jugde asked for the reatment of typhoid fever, pneumonia and verdict. The foreman handed the verdict kidney diseases. Dr. Osborne was greatly to the judge and he read it "Not Guilty." in love with his profession and he studied Just before announcing the verdict the medicine all his life, after he first took judge ordered the sheriff to arrest any one who should make a demonstration. This was not heeded, however, since when the verdict was read the friends of Tillman in the back part of the court house gave a

The judge had a release issued and James during the year in a most II. Tillman, who on the 15th of January last slew N. G. Gonzales on the streets of nounced innocent of murder by a South

The former prisoner shook hands with the judge and the members of the jury and then went across to the jail in company with his attorneys. Here he joined his wife who was waiting for him. He and his family left this afternoon for their home in Edgefield.

Many rumors about how the jury stood had been circulated around the town during the night and these rumors conform to what has been heard since the jury came out. It is said that the jury was from the start ten for acquittal and two for a convic tion of manalaughter. These two held out until this morning when they succumbed to the will of the other ten and signed the

The big case is now over and the little town of Lexington will now resume its -ac customed routine and quiet. The two hotels here have been filled these past eighif he didn't he wouldn't have anything to teen days with attendants upon the trial. Besides these a number also have been stoppi g at private houses. The one absorbing topic of conversation all over the town has been the trial. Now it is over, but it is likely that in this town as well as in nearly fevery other town in South Car. olina and many towns in other states the deed, the trial and its results will still be discussed.

Tillman's Statement.

Jomes H. Tillman after his acquittal made the following statement to the Associated Press: "I feel very grateful at the result of the verdict, but at no time did I apprehend any serious consequences, I of course deeply regret the death of Gonzales, but I was forced to do what I did. I have never apprehended conviction, for 1 felt I did no more than any man would have done under the same circumstauces and what I was compelled to do. My position was fully su ted in the testimony I gave on the stand. I did ask for change of venue, because I was convinced, on account of prejudice in Richland county I could not get a fair and inpartial trial in that county. I felt sure as soon as my case could be presented to an impartial jury I could be vindicated. The verdict justified the correctness of my judgment of Lexington county, selected by the prosecution. Its up in my country that term has been used people are law abiding and have long been noted for correctness of their verdicts and have been praised by the press,"

General Comment.

If Lieutenant Peary reaches the the North Poll, will the flag stay N. C., for addition to yards, \$58,692.92;

Mr. Chamberlain will act as missioner for the taxation of food. He has already been called a "dear loafer."

Most of those people who say they believed Russia would leave Manchuria are as insincere as the Russians are in saying they would

The Chinese minister at Berlin is buying large quantities of arms. Perhaps China wants the

The Czar of Russia has dared to stand in the street in Darmstadt, Germany, smoking cigarettes, with only two adjutants to guard him. The Germans were surprised that he did not seem a bit nervous.

PRESIDENT SPENCER ON SOUTH'S PROGRESS

tails Brought Out.

There is no man in America better able to give authentic and authoritative facts concerning the materiai progress of the Southern States than Presi-Railway. An analysis of the states traversed by this great system of railroads is made a feature of the annual report of President Spencer, who, naturally, discusses them in the light of the traffic and transportation problems they invove, which are of peculiar importance to the interest he represents. The printed copies of the report which have just been recived in Atlanta present some interesting details in addition to the general conclusions as set forth in the rather brief synopsis re-

cently published in The Constitution. President Spencer says that "the industrial growth throughout that portion of the southern states served by the lines of the company has continued satisfactory and encouraging way," and giving details, he adds:

"The number of new industrial plants of various classes completed during the year was 735, and the number under construction at close of the year was 146. Previously existing plants to the number of 208 were materially enlarged during the year.

"There were 29 cotton mills under constuction on June 30 of this year, an increase in number of 8 mills over corresponding date of the previous year. These new mills when completed will place in operation 12,537 looms and 443,-002 spindles; an increase over similar equipment in new mills under construction on June 30 last year of 4,937 looms and 100,802 spindles.

"There were large investments made during the year along the company's lines in new mineral developments and the enlargement of old ones.

"The tons of mine products hauled PROMPT LOADING AND UNLOADIN duing the year increased 1,190,166 or 16.84 per cent over the preceeding year. "During the year investments in lumber and other wood working enterprises completed, amounting to over \$5,-

plants to about \$2,500,000. The capital invested in tanneries completed during the year amounted to about \$600,000, and in additions to ex-

000,000, and in additions of existing

isting plants to about \$380,000. "The sale to Northern and Western purchasers for investment, development or settlement of timber, mineral and farm lands contiguous to the company's lines, aggregated over 2,000,000 acres, valued at about \$13,000,000,

NEW CONSTRUCTION AND EQUIPMENT.

President Spencer's financial statement contains a table showing the heavy investments for new construction and real estate which the company made during the year ending June 30 for the purpose of meeting the demands of this steady increase in its business. due directly to this notable industrial development. This shows a total of \$2. 308,781.34.

Included in this is an item of \$501. 402.54 representing the expenditure made for the second track and revision of grades and curvature in that portion of the main line from Alexandria to Orange, the beginning of the double tracking. There are also included purchases of real estate for the purpose of increased facilities at a number of different points, among them; Atlanta, \$187,102.55; Birmingham, \$217,639; Lynchburg, \$65,000; Memphis, \$39,577 .-0; Washington, \$40,102.75; Spencer Monro, Va., \$67,210,74; Spartanburg, \$21,693,98, and a large number of small sums at other places, the aggregate reaching a very considerable sum.

The Okolona-Big Creek line in Mississippi cost \$128,519.20. There was expended for revision of grades and curvature on the Asheville division \$216. 806.45, and on revision of grades and curvature on the St. Louis division \$299,683.88. The balance on the shops at Sheffied is \$17,599.17. New yards at East St. Louis involved a cost of \$42,155 .-39; additions to the yard at Princeton \$54,907,40.

The several spur extensions constructed to mines, principally in Alabama and Tennessee, represent a total of \$84,567 .-62, while the net cost of the additional passing tracks and tracks to industrial plants, less side tracks taken up, is \$247,306.89 As stated, the total expenditures under this heading, "new construction and real estate," is \$2,-308,781.34.

New and additional equipment was purchased during the year amounting to \$1,326,102 68.

PRESIDENT SPENCER SPEAKS.

TILLMAN'S STORY OF THE TROUBLE

report and of the industrial conditions generally throughout the southern states, President Spencer said in a recent talk with a representative of the Constitution:

"The industrial growth of the south has been remarkable. While the development for the year ended June 30. 1902, was quite unprecedented, the last year exceeded it by 17 per cent in the capital invested in traffic-producing ipdustries on the Southern Railway System proper. In the year previous such investments were very generally of the the purchase of premises and the erection of factory buildings, while during last year, investments were more strictly in mine, factory and mill equipment designed to increase capacity of output. Southern Railway lines are very much the conversation which took place in his greater last year than the year previous and, of course that implies a corres pondingly heavy tax upon the physical capacity of the railroad to move the E. L. Blease, a witness of yesterday, were traffic. During this last year the in- present. He said that the statements were creased investment in coal mines, iron by him in reply to remarks as to threats mines, lumber mills, wood working plants and other closely related interests which are the producers of largest tonage, was even more marked than in other classes of industrial enterprises.

"This gives an indication of the traffic requirements imposed upon the rail roads in addition to the usual crop movements and emphasizes the importance of the fullest co-operation of all interterests in every way possible to relieve man stated he said that if that threat was a possible transportation congestion parried out it would be the --- tragedy in This congestion is not limited to the South. It is more or less general throughout the country; but in the has been relatively the greatest in a from the State House after the adjournshort space of time, the situation has been more difficult to forecast, and to reasonably provide for, than in-other sections where industrial changes have been more gradual.

URGED.

upon the rolling stock equipment of the company, and despite the increased facilities which have been provided for handling the increased volume of general traffic including 207 new locomotives and 10,625 -the company may find itself at times somewhat embarrassed, unless it can secure the co-operation and assistance of its patrons. The company can be materially ferred to the statements reported to him aided in its efforts to move the large volume by Witnesses White and Holsenbach. crop, which promises to move rapidly, through the prompt loading and unloading of traffic, and in the interest of all concerned it is hoped that patrons generally Atlanta, Ga.

"Virdict of not Guilty" In Haywood Trial, Jury out only a short Fifteen minutes.

more than 15 minutes to-day, the jury in the trial of Ernest Haywood for the murder of Ludlow Skinner returned a verdict of not guilty. There was no demonstration; but smiles of delight were on the faces of Haywood, his counsel and three brothers who have been constantly with him. Haywood shook hands with his counsel, and when he was discharged went State and read. The accused said he had at once in the jury box and shook hands had no ill feeling toward Gonzales until with each juror, returning thanks. Next he went to Judge Peebles and did the same. Colonel T. M. Argo closed for the defense, this morning, urging self-defense for Haywood and a persecution of him and the witnesses for the defense. Judge Peebles next commented on the evidence and charged the jury. It was charged very favorable to the defer dant. Haywood shot and killed Skinner in tront of the postoffice here on February 21. A preliminary hearing was waived and at the Mar, h term the trial was postponed on the plea of absent witnesses. At the habeas corpus, the first of June. Haywood was released on \$10,000 ball. In the case seven lawyers appeared for the defense and five fir the State. An acting solicitor was employed, as the solictor declined to act because of his relationship to Haywood. The defendant did not testify.

The W. C. T. U. of Oklahoma has passed a resolution commending Secretary Hitchcock for riding in a car which advertised a special brand of beer. We expect to hear rumors of the Secretary's resigna-Speaking of the facts set forth in his tion from the cabinet.

THE DIFFERENCES DEGAN IN 1890

He Thought Conzales Was Going to Shoot and He Shot First-Tillman Acknowledges to Speaking of Gouzales Severely While on the Stump

Lexington, S. C., Dispatch, 9th. Mr. Tillman in line of a ruling of the court, rendered after an hour's argument by counsel, was asked what impression was made upon him by the editorials of character of new enterprises involving Mr. Gonzales. He replied that they were intensely bitter. He did not make the threats in Edgefied or on the train going from Johnston to Columbia, he said, as iestified to by witnesses for the State. Mr. Investments of this character along the Tillman was questioned with reference to room in a hotel in Columbia on the night of August 21, when Dr. Adams and Col. reported to him. He had been told in a dozen places in South Carolina that he he had said on the stump elsewhere about Gonzales. It had been reported to him he said, that the opera house in Columbia, where he was to speak, was to be packed and he was not to be let out alive, Till-South Carolina.

Mr. Tillman, giving his version of the south where the industrial awakening the shooting, said he was walking down ment of the State Senate, January 15. in company with Senators Talbird and Brown, the former being on the outside. the latter on the inside. Before reaching the transfer station he said he noticed Gonzales down the street, looking at him in-"The extraordinary industrial growth of tently. Tillman had on his overcoat, butthe territory traversed by the Sonthern oned. He said he never took his eyes Railway lines is imposing a trying task from Mr. Gonzales and that Gonzales did not take his eyes from him.

Gonzales out diagonally across in front of him, he said, and his right hand disappeared in his pocket. Tillman said he new freight cars within the last three years thought Gonzales was going to draw a weapon and he fired first, saying: "I got your message." The message, he said, re-

of traffic impending, including the cotton These statements were to the effect that Gonzales had said he had made Tillman show the white feather twice before and would do it again. Tillman said he did will co-operate to this end."-Constitution, not fire a second shot, as Gonzales did not draw a pistol. Tillman concluded his testimony shortly before noon, when General Beilinger, of counsel for the State, entered upon the cross examination, in which the accused said he had reason to expect from the moment he saw Gonzales that he (Gonzales) would shoot when they met. He also sent word to Gonzal's to come to the Raleigh, Oct. 14-after being out not meeting at the opear house in Columbia and make his chages then, saying he did this so he could reply to them.

Tillman said the differences between Gonzales and himself began in 1890. He wrote a letter to Gonzales in 1892 thanking him for a kindness, and their differences were at an end at that time. Tillman indentified the let. ter, which was fered in evidence by the the attacks were made on him about the time he was in the army.

"You spoke of him severely on every stump in the State?' quer.ed Mr. Belien-

"Pretty nearly every one," was the re-

Having stated that he did not care to get in any trouble while Liutenant Governor,

Mr. Bellenger asked Tillman: You did not mind carrying a concealed weapon while you were Lieutenant Gover-

"Not after my life was threatened." The law gives me that right."

"Didn't you tell some of your friends that you and Gonzales had an understanding that when you meet you would shoot

this thing out?" "I made the statement that it was the general understanding that when we met we would have to shoot it out."

Chancellor MacCracken said as the opening of the New York University, "I wish we could require from every freshman a Sunday school diploma." This is one way of reforming New York,