

# Gainesville Daily Sun.

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GAINESVILLE, FLORIDA, FRIDAY, JULY 23, 1909

TEN CENTS A WEEK

## WILL OWEN MEET DEATH ON THE SCAFFOLD TODAY?

### Unless Speedy Steps Are Taken, Murderer of R. L. Smith Will Likely be Executed.

R. H. Owen, now confined in the Alachua county jail, will hang today between the hours of 11 and 2 o'clock for the murder of R. L. Smith at Jonesville last January, unless some unforeseen action is taken by Governor Gilchrist to prevent the execution.

Sheriff Ramsey was seen yesterday by the reporter, and states that acting under instructions from the Governor, and having the second death warrant in his hands, he will proceed with the hanging today and will have everything in readiness for the execution at about the noon hour.

There will be only a small crowd present to witness the execution, as under the law the sheriff is allowed to admit only a certain number, which includes ministers, physicians, newspaper men, and officers of the law.

W. E. Baker and Christopher Matheson, acting as attorneys for Owen

and stated that he would not issue the same until he had satisfied himself fully as to the law regarding the matter.

Following is a copy of a letter received from the secretary of the Board of Pardons, which body refused to take any action whatever on the Owen case at their meeting on Wednesday afternoon:

"Tallahassee, Fla., July 21, 1909.  
"Sheriff P. G. Ramsey,  
Gainesville, Fla.

"Dear Sir—At a meeting held this morning to consider the application of R. H. Owen for commutation of sentence from death penalty to life imprisonment, the State Board of Pardons has declined to interfere in the matter, or to grant said petition.

"Very truly yours,  
"G. T. WHITFIELD,  
"Secy. Board of Pardons."  
Owen was seen at the jail again

up to perform the act, as he was sick and unable to stand upon the gallows, or get about in any manner. He was still under the impression, however, that the execution would not take place.

Owen is apparently far from being a Christian, and while he has studied his Bible a great deal during his confinement, it has been noticeable that it was done largely while visitors were around the jail.

The reporter of this paper has tried in various ways to be kind to the unfortunate man, but he is among the most hated of all who have visited him, and comes in for his share of the abuse along with Jailor Torlay and Sheriff Ramsey, both of whom have done more than their share in making him comfortable.

The picture herewith reproduced is a copy made from a photograph recently taken by Jas. F. Smith at the request of the doomed man's wife who has remained faithful to him to the last, and is an exact reproduction of the man, showing his high forehead and his present thin appearance, due to long confinement. His diary, which is a book of more than fifty closely-written letter pages, deals with the case from his coming to Alachua county up to the time and conclusion of the trial, and this, he states, is for his children to read in future years, and which he will place in the hands of his wife.

The present Mrs. Owen is the unfortunate man's fourth wife. She is plucky and still contends that she wants to die on the gallows along with Owen and leave their little one to wife No. 3, who was here a short while since with two children of the man from her home at Ocala.

#### Governor Gilchrist Writes.

Numerous communications have been directed to Governor Gilchrist concerning Owen's case, and that the Governor has made a careful investigation as to the man's sanity is shown by the following letter received by a citizen of this city yesterday:

"State of Florida, Executive Chamber—Tallahassee, July 21, 1909.

"Taking up the Owen case: the question of the sanity or insanity of the said Owen having been mooted, I endeavored to secure the opinion of the highest authority on insanity that we have in the State, Chief Medical Officer at the Hospital for the Insane. Quoting from his statement: 'After consideration, I cannot say that I consider said Owen insane within the meaning of the law and acts in such cases made for exemption from punishment. I would consider Owen as belonging to that class of deficient or defectives known as "degenerate" from among which our criminals are almost wholly drawn.'

"Dr. McKinstry writes as follows: 'As physician in attendance upon the prisoner at the jail, I have had occasion and ample opportunity to observe the said Owen during the entire period of his confinement to the jail. Then, by direction of Sheriff Ramsey, I gave Owen a thorough examination with the view of determining his precise mental and physical condition for the guidance of the sheriff and the jailor. I therefore feel that I am in position to give you reliable and disinterested information. Owen is perfectly sane, within the meaning of the law. He is of a low order of mentality and is a type of that class of "defectives" who furnish such a large percentage of our criminal classes. I might go on at length and into detail about these "defectives" or "degenerates," but I suppose you are only interested in determining the sanity or insanity of this man. He is not insane.'

"Letters have been written from Alachua county in relation to this case on two lines: one is that the said Owen has not received a fair trial, on the ground that having secured no attorney himself, the court followed the legal method of appointing an attorney for him. Such has been the action of the courts of this State for a great many years. Many

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## SEAWALL AT GALVESTON WITHSTOOD TIDAL WAVE

### Hurricane Was Equal to the One That Destroyed City in 1900---Communication Restored.

GALVESTON, Tex., July 22.—Ten dead is the total number of lives lost so far as is known, in the hurricane which swept over the Gulf of Mexico and struck Galveston Wednesday morning, and continued until after mid-day. While the city of Galveston was held safe against the fury of the storm by the new \$2,000,000 sea wall, far out in the Gulf, on Tarpon Island, seven miles from the city, where the storm whipped over the jetty into the bay, ten persons were washed from the rocky promontories into the Gulf. Boats are searching the bay for the bodies.

Those drowned were members of a fishing party and employes of the Tarpon pier, marooned on the jetty. Boats were sent to their assistance late yesterday and it was learned that the cause in which they had sought refuge had been washed away.

While it is impossible to get an accurate list of the dead owing to the fact that the register has always been kept at the pier, the best information obtainable is as follows: Capt. Bettison and wife.

Edward Lewis.  
C. H. Daily, circulation manager Galveston Tribune, formerly of Chicago, and four negroes.

The others are unknown. Mr. Daily was a guest at the pier and it is also stated that a young man named Peatson of Houston, son of a book dealer, was also among the guests. This report could not be confirmed, however.

Friends in Galveston set forth a faint hope that it might have been possible that all, or a part of the party on the pier, might have secured wreckage from the pier and floated to the Bolivar shore.

In view of this report the launch Clifton, owned by Capt. Bettison, made the trip to Bolivar yesterday, returning shortly after 7 o'clock, the captain, however, reporting that no trace of the party had been found.

The City Safe.  
"The city of Galveston sends greet-

ings to her sister cities, the people of the United States and of the world, in that, at this hour, it has just passed through a most formidable storm, manifesting in its course some of the most violent incidents of cyclonic disturbances, and its great seawall has completely vindicated its efficiency and protected the city against dangers from the sea, leaving such insignificant damages as are incident to all storms.

"The city, its great business interests and its people have safely passed through a most severe hurricane, the seawall proved a complete success, the city's great wharves and shipping interests suffered no damage and not a life was lost.

(Signed) "LEWIS FISHER,  
"Mayor."  
"E. O. FLOOD,  
"President Chamber Commerce.

"B. ADOUE,  
"President Maritime Association."

Communication with outside points was resumed at 9 o'clock last night. Man's strength and skill were pitted against the fury of the elements and man won, when the city of Galveston, safely entrenched behind her impregnable seventeen-foot sea-wall withstood, with comparatively trifling loss, a tidal wave and hurricane equal in intensity and destructive force to the one which destroyed the city on September 8, 1900.

In Galveston and vicinity not a single life is believed to have been sacrificed but the material loss is thought to be quite extensive. The hurricane swept the entire Gulf Coast with an intensity and viciousness that has seldom been equaled in a country where destructive storms are not unusual. It had its origin on the Atlantic Coast and swinging westward and southward, devastated the entire Gulf Coast even as far south as Matagorda bay. That some lives were lost and that much property was destroyed is the general belief. With

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## Negress Charged With Causing Man's Death Escapes

ST. AUGUSTINE, July 22.—Marie Fulton, the colored woman who was placed under arrest charged with assault and battery by throwing scalding water on a colored man at Espanola recently, has given the officers the slip and made her escape, incidentally causing embarrassment to a number of witnesses who were brought in from Espanola to testify at her preliminary hearing yesterday morning.

It seems that the woman when arrested after the alleged assault was released on her recognizance and came to the city voluntarily on Sunday. On Monday Deputy Sheriff White came to the city and located the woman, escorted her to the court house and left her in the sheriff's office, after she had been held by Judge Mackey to await a hearing.

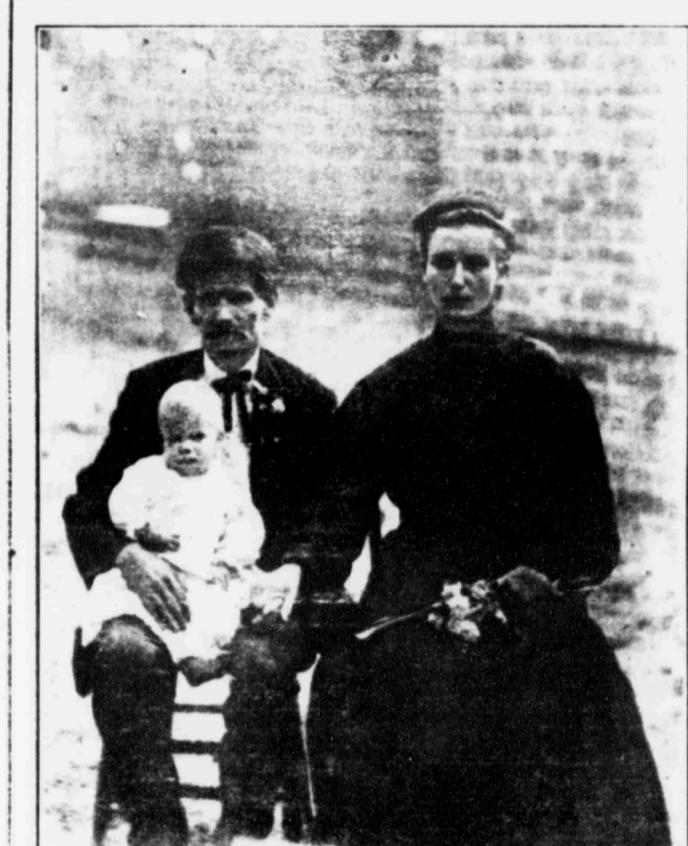
Sheriff Perry and Deputy Sabate were busy at the time with the trial of a number of fishermen who were being tried before Judge Cooper for illegal fishing, and knowing that Deputy White had charge of the woman the other officers gave her no thought. Deputy White, on the other

hand, after delivering his prisoner in the sheriff's office, left to catch the returning train to Espanola.

In the meantime the woman, seeing her chance, quietly slipped away and made her escape. Being at Espanola and not knowing of the escape, Deputy White returned to the city yesterday morning, bringing with him several witnesses who had been summoned at the woman's request and at her expense. Upon appearing at Judge Mackey's court, they learned there would be no hearing, as the woman had escaped.

The witnesses, all of whom were poor and almost penniless, then inquired for money to pay their traveling expenses back home. There was no funds available to apply to witnesses' expenses, as they had been summoned at the expense of the defendant and not the State. The witnesses had scraped all they could to get railroad fare to St. Augustine and upon leaving court were in a quandary to know how they would get back.

The authorities will keep a sharp lookout for the woman and she will doubtless soon be in the toils again.



R. H. OWEN, WIFE AND LITTLE SON.  
Photo by Jas. F. Smith.

late that the execution will not take place, for at noon yesterday they had a receipt for a writ of error before County Clerk Wienges, but that official was seen shortly afterwards

yesterday by the reporter and reiterated his statements that he would be unable to go upon the scaffold, and furthermore, that if they hung him, the officers would have to hold him

## Georgia Sheriff Saved Negro From Angry Mob

ATLANTA, Ga., July 22.—The bravery of Sheriff McKinney and three lone deputies, who with drawn revolvers faced a mob of angry men yesterday at Vinnings, Ga., saved the life of Will Webb, a negro, charged with criminal assault.

Webb had just been identified by Mrs. Exie Brown as the negro who assaulted her Tuesday. He had not yet left Mrs. Brown's residence after the identification when the armed men and boys, many of whom for two days had been ranging through the

woods in search of him, determined on a lynching, surrounded the house. They shouted that the negro's life was theirs; that the sheriff must hand him over. Out came the revolvers of the four officers and with a rush they charged through the mob and leaped into a big automobile which they had in waiting. Shouting "stand back" to the mob, and leveling their revolvers upon its leaders, they drove out of danger and rushed the negro to Atlanta, where he was placed in the tower prison for safekeeping.

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