

Wallace Ray, of Shelton Laurel, slayer of Dr. O. V. Burnett of Mars Hill, who was himself seriously wounded in the pistol battle that occurred in the mountains of Madison County a few days ago, will be held without bond for murder, in the event that he recovers, according to instructions given Sheriff W. C. Rector, of Madison County, by Solicitor J. Ed Swain.

Investigation of the shooting, which took the life of the physician and sent the mountaineer to the hospital with three bullet wounds in his body, is said to have revealed that Ray was apparently the aggressor in the fight and that the killing occurred after the physician had made unsuccessful attempts to prevent violence.

Eyewitnesses to the duel described a dramatic scene, when the shooting stopped, picturing Ray staggering to his feet after having been struck down by bullets from the physician's revolver, and Dr. Burnett standing with head up and apparently the victor, only to topple over the next second dead from the single bullet which tore into his vitals from one of the heavy caliber revolvers in the hands of Ray.

Porter and Moody Shelton, who were passengers in the Ray automobile, were the only eyewitnesses to the shooting, so far as could be learned.

They Meet

According to information gleaned by the investigation of the authorities, the Ray car passed up the road, went beyond the spot where the shooting occurred a few minutes later and where the Burnett car was then parked, and then returning again, passed the physician's car.

A short distance down the road, it was reported, Ray stopped his machine and got out, walked up to where the doctor was and engaged him in conversation. The Sheltons followed, and heard Ray making threats against Dr. Burnett's life, at the same time holding a cocked pistol in his hand.

Ray was heard to declare that the doctor had "had the advantage of him the night before because (the physician) was with his own crowd." Ray is then said to have declared that the physician did not treat him right and that he was going to kill him. At this point, it is said, Dr. Burnett was still standing with his hands in front of him and apparently unarmed.

This conversation continued for some minutes, it was learned, with Ray threatening and the physician adopting a conciliatory attitude and attempting to reason with him.

Finally the Ray pistol was levelled and one of the Sheltons knocked the muzzle up just as the first shot rang out. The bullet went wide of its mark and Ray and one of the boys scuffled over the possession of the weapon. Ray then wrenched free and resumed his attitude of combat, it was reported, continuing the firing.

Dr. Burnett Draws

Dr. Burnett by that time had drawn his own revolver and the two men paced apart and began the duel that stopped when Ray was shot down in the road. Staggering to his feet, he is said to have remarked, "You have finished me," and then got to his car. The physician, in the meanwhile, was standing his ground, but the next instant toppled over dead. Ray is then said to have driven to his home, where he was later taken to White Rock Hospital and subsequently removed to a hospital in Greenville, where it is reported he has a fighting chance for his life. If he recovers, he will then be tried.

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