

The Fayetteville Observer

"North Carolina's Oldest Newspaper—Established 1817"

FAYETTEVILLE, N. C., MONDAY, OCTOBER 10, 1921.

PRICE PER CO.

VOL. XXXVI, NO. 216.

WILLIAMS CASE TO COME UP FOR FIRST ISSUE ON TUESDAY

Marshall Williams Case Will Come Up for First Time Tomorrow Afternoon

MENTAL EXPERTS HERE TO TESTIFY

First Clash Between Defense and State in Noted Case Today

BY A. S. TAYLOR

The Marshall Williams murder case, the first of the kind to be tried in the special term of criminal court of Cumberland county presided over by his honor, Judge John H. Kiser, of Warrenton, which convened at the courthouse here today, is the first case of the kind to be tried in this county since the death of the defendant before a jury of twelve men.

The matter of the jury will be determined. It is believed to be the first case of the kind to be tried in this county since the death of the defendant before a jury of twelve men.

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OBSERVATIONS About Town

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FIVE MEN KILLED WHEN BRICK WALL COLLAPSES TODAY

Plate Over Old-fashioned Fire Place Snags Letting Down Brick Wall

THREE MEN IN GANG ESCAPE BEING HURT

Two Others Are Injured Building Being Torn Down By The City

LYNCHBURG, Va., Oct. 10.—Five men were killed and two others were injured when a brick wall of a building in Lynchburg collapsed today.

The building was being torn down by the city. The wall was supported by a plate over an old-fashioned fire place.

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Babe Does—And Doesn't

She's full of love—Crazy—Two worlds never come in

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YANKEES FORGE AHEAD IN FIFTH BATTLE OF WORLD SERIES; SCORE IS 3 TO 0

TODAYS GAME AT A GLANCE

Team: 1 2 3 4 5 6 7 8 9 R H E

YANKEES 0 0 1 2 0 0 0 0 0 3 10 0

GIANTS 1 0 0 0 0 0 0 0 0 1 10 0

Batteries—Yankees, Hoyt and Schaefer; Giants, New and Smith

SERIES EVEN AS TEAMS LINE UP THIS AFTERNOON

Yanks Takes First Two Batters—and Giants Comeback by Winning Last Two

WEATHER IS WARM AND CLEAR EARLY

The Attendance at One-thirty O'clock Was—30,000—Teams on Edge

POLO GROUNDS, New York, Oct. 10.—The New York Yankees, tonight winners of the American League, and the New York Giants, winners of the National League, met today at the Polo grounds for the first time since the first two games, making the series even to one each.

The attendance at one-thirty o'clock was 30,000. The teams were on edge.

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SCHOOLS IN CITY WILL CLOSE FOR CIRGIS TOMORROW

School Children of Fayetteville Will Be Given a Chance to See Circus

BY A. S. TAYLOR

The schools in Fayetteville will close tomorrow for the circus.

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COTTON-PICKING IS OVER EARLY HERE THIS YEAR

Cotton Picking Never Over This Early Before

BY A. S. TAYLOR

Cotton picking is over early here this year.

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3 COURTS GOING FULL BLAST IN THIS CITY TODAY

And Recorder's Court, Although 5 o'clock a. m. Cramped, Diphtheria Justice

BY A. S. TAYLOR

Three courts are going full blast in this city today.

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LOCAL LADS LOSE TOUGH BATTLE TO WILMINGTON 7-0

Har'd Fought Football Game Played at Wilmington Saturday Afternoon

BY A. S. TAYLOR

Local lads lost a tough battle to Wilmington 7-0.

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BEAN CROP THIS YEAR SAID TO BE A BUMPER

Yielded Beans and Soy Beans, the Great Good Crop of the Year

BY A. S. TAYLOR

The bean crop this year is said to be a bumper.

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HENDERSON PAYS EXTREME PENALTY IN ELECTRIC CHAIR

Leaves Signed Statement in Which He Declares He is Entirely Innocent

BY A. S. TAYLOR

Henderson pays an extreme penalty in the electric chair.

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(BY C. B. TAYLOR)

The Marshal Williams murder case, the all-absorbing topic before the special term of criminal court of Cumberland county presided over by his honor, Judge John H. Kerr of Warrenton, which convened this morning, will have its first issue heard tomorrow afternoon when before a jury of twelve men the matter of his sanity will be determined. If he is found to be mentally sound he will then be placed on trial for his life for shooting to death Al J. Pate, one of the county's most popular and faithful deputy sheriffs, while that official was in the act of raiding a still believed to have been Williams.

Dr. J. Allison Hodges of Richmond, Va., and Col. E. S. Ligon, head of Blackstone Military Academy of Blackstone, Va., are here to testify on behalf of the defense on the matter of sanity, while Dr. Albert Anderson of Raleigh and Dr. Taylor of Morganton will arrive here tonight to testify for the state. Besides these there will be in the neighborhood of 200 witnesses on either side.

Attorney John Q. Shaw of the defense counsel, when the solicitor reached this case on the docket this morning, asked that it be called tomorrow and the solicitor fought for Wednesday morning and Judge Kerr compromised by naming tomorrow afternoon. Attorney Shaw then requested that the prisoner be brought over here from Hoke county jail where he has been confined. And his honor ordered the sheriff to have the prisoner here by tomorrow morning.

Greets Jury

At the opening of court this morning Judge Kerr greeted the members of the grand jury and after felicitating them for having the opportunity of serving in that capacity for six months delivered a very brief charge.

"I know you gentlemen are fascinated with your position as a grand juror. It gives you this one opportunity to serve your country and help in seeing that the law is enforced," said his honor. "I hope the time will speedily come when grand juries all over the state will serve for twelve months instead of six. It will have such a wholesome effect on the community, and a means for the upholding of law.

"A great many people have been saying that the courts do not function properly and speedily and carry out the laws. Now, you members of the grand jury are correct on a large measure that mistake. The law does not contemplate that a man is guilty when he is charged with a crime. It does contemplate that a man is innocent until he is proven guilty. The law is very zealous of the welfare, peace and dignity of the community. It is an awful thing to charge a man with a crime. We should be very careful in doing that. The law has so provided that it takes thirty men to find a man guilty. First his charge must be passed on by 18 members of the grand jury, then brought up here where 12 men must find him guilty or not guilty. It is very humiliating some times for men to be charged with a crime. This thing of punishing men is a very serious thing. I would love to see the time come when we don't have to punish men. If that time would ever come it would be the ideal state and this would be an ideal commonwealth."

Judge Kerr closed by asking the jurors if they had anything to ask him about to do so now, telling

(Continued on Page 7)

WILLIAMS CASE TO COME UP FOR FIRST ISSUE ON TUESDAY

(Continued from Page 51)

them the solicitor and the court would be very glad to assist them in any way.

After the conclusion of the charge Solicitor S. B. McLean went over the heavy docket setting cases for trial.

John Williams, colored, was the only man to be tried during the morning. He was charged jointly with Norman Thompson and Dave Melver with breaking into the store of W. M. Breece. His honor called John before him and asked him about the stealing. "Well, your honor," said the negro, "I did not enter the store. Melver broke open the store and Thompson followed him in. I remained on the outside and got \$3 for doing it." All three defendants broke jail some time ago and Thompson is still at large. Melver is at present on the roads. His honor then sent John out to the roads for six months.