



Mickey's mouse: Area youngsters are quickly becoming pint-sized computer experts via elementary school programs, **1D**

LIFE



Camper's delight: The Village of Pinehurst RV Park represents a golf lover's dream come true, visitors say, **1B**

LOCAL & STATE



Chance of showers; high near 75, **14B**

WEATHER

County enacts teen curfew

■ 416-bed design chosen for jail ■ Youths 15 and under restricted

By Kim Nilsen
Staff writer

Cumberland County's downtown jail proposal survived another vote Monday.

Commissioners picked one of six downtown jail designs. They asked an architect to move ahead with sketches for a 416-bed jail that will go behind the Law Enforcement Center.

They did so without reshaping a discarded plan to build a bigger jail

for the same money on a large, remote site that would allow for a different design.

The six-story building commissioners voted for will stand at Russell and Cool Spring streets. Space for another 328 beds can be added on to the building.

Construction costs for the chosen option are estimated now at \$37.5 million. But architect Steve Allan was quick to point out that that figure is not adjusted for inflation and it does not include his de-

sign fees and other features.

Options presented to the board Monday ranged from a 102-bed, four-story jail at a cost of \$28.7 million to the most expensive, a 753-bed building that would cost \$52.8 million to build.

Commissioners Ed Melvin, Johnnie Evans, Mae Tyson, Lee Warren and Tom Bowser voted for the plan, with only Commissioner Billy King in opposition. Commissioner Rollin

By Kim Nilsen
Staff writer

Starting this summer, children 15 and younger have a curfew in Cumberland County — placed on them not by parents but by the Cumberland County commissioners.

Commissioners voted 5 to 1 Monday night to adopt a curfew ordinance. The measure takes effect at 11 p.m. on July 1 and expires after June 30, 1998 unless

renewed. The curfew makes it unlawful for children 15 and younger to be in a business or public place between 11 p.m. and 9 a.m. It applies only in unincorporated areas of the county.

Monday's vote was the second on the ordinance, required by law because the first vote, a 4-to-3 decision earlier this month, was not unanimous. To become law, all county ordinances must be unanimous or pass on two votes.

Commissioners Johnnie Evans,

Mac Tyson, Lee Warren, Ed Melvin and Tom Bowser voted for the curfew. Commissioner Rollin Shaw, who supported the measure earlier this month, was not at the meeting. Commissioner Billy King opposed the curfew both times.

"It's a quick fix for some deep-rooted problems," King said after the meeting. "Law enforcement manpower could be better utilized during other times."

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CBD Loop named for King

Years of debate end with action

By Gary Moss
Staff writer

Fayetteville city leaders ended a decade-long debate Monday night by voting to rename part of the Central Business District Loop in honor of Martin Luther King Jr.

In recent years, the question of where and how to honor King had produced hot rhetoric and overflow crowds. But Monday, only a few people were on hand to witness the event.

The unanimous vote came with an absence of words from council members. Mayor J.L. Dawkins said after the meeting that the decision was long overdue and it was time to move on to other issues.

Jamaa Bowser, a former county jailer, said he viewed the action as a "good start" that "might help to ease the racial divisions in the city and among council members."

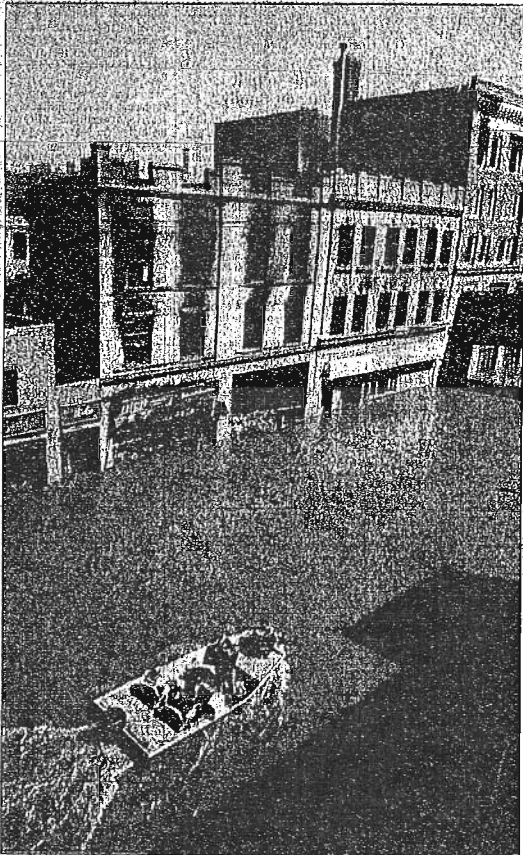
"Everybody wants to talk about the good things in Fayetteville," Bowser said. "This is something good that we can reflect upon."

Ida Ross made the motion, which was seconded by Robert Massey. After the meeting, Ross said, "I feel the storm is passing over. We're moving out of the darkness and into the light. And you know who produces the light?"

Interim City Manager Roger Stancil said he will take several months to get the signs made and installed to complete the name change. The formal name will be Martin Luther King Jr. Boulevard.

Ross said she first remembers talking about the issue in 1990. Since then, the history of deciding

See King, Page 4A



Flood agony mounts

Authorities assess the damage to 11 burned buildings in downtown Grand Forks, N.D., on Monday. The city has been mostly evacuated, but a 22-mile hose was considered on Monday to let the few remaining residents wash with fresh water.

The flooded streets are tainted by sewage.

Authorities said day-to-day tasks like taking a shower and washing clothes aren't going to happen for quite a while.

Conditions are described as primitive, at best. Story, 6A

AP photo

Kelly strike called

Work to stop this afternoon

By Josh Shaffer
Staff writer

Barring a last-minute agreement, workers at Kelly Springfield Tire Co. will strike soon after noon Monday between plant officials and the union, the United Steelworkers of America. If an agreement isn't reached before noon, workers will strike, said Gideon Massey, local union president.

"I'm prepared to strike," said Peter Nehilla, a 19-year plant veteran. "I have made plans around striking. I have arranged my finances to strike. I have arranged another job to support my family during a strike."

"Do I want to strike? No," Nehilla said. "My wife is real worried. My kids are real worried. I've told them that times might get real tight and you might have to pack your lunches for a while."

With about 3,000 employees, Kelly-Springfield is the largest tire plant in the world and Cumberland County's largest private employer.

Company spokesman Richard Evans said Kelly-Springfield and the union have an agreement not to comment during negotiations.

There is a chance that a strike could be averted, said a source close to the negotiations. It all hinges on whether officials at Goodyear, Kelly-Springfield's parent company, can reach a tentative agreement.

Plant employees have been working without a contract since September, having already rejected two proposals by wide margins.

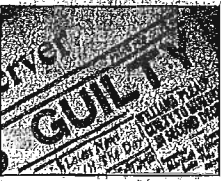
Goodyear wants the plant to operate seven days a week rather than six — one of the major reasons for the impasse.

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One juror saved life of gun genius Williams

A 1921 issue of the Fayetteville Observer runs a banner headline on Marsh Williams' decision to plead guilty to second-degree murderer in the slaying of Al Pate.

Send copy photo to Jeffery Home



Third of a four-part series
By Pat Reese
Staff writer

Marsh Williams, the moonshiner whose genius with guns was to win him a governor's pardon and a small fortune, was barely old enough to vote when he went on trial for his life in Superior Court on Oct. 12, 1921.

He was charged with first-degree murder in the ambush slaying of Alfred J. Pate, a respected

LARGER THAN LIFE
The 'Carbine' Williams story

lawman who was killed when he and fellow deputies raided an illegal distillery near Godwin almost three months before.

Williams' lawyers entered a plea of not guilty by reason of insanity.

The Fayetteville Observer reported public interest in the trial was at "high pitch" and every seat

in the Superior Courtroom was filled. The stage was set for "a great fight" supported by the strongest array of counsel any case has had in this county in recent years.

One member of the prosecution team was also a man destined for public acclaim — J. Bayard Rustin, who was to become a U.S. congressman. The prosecution was led by Solicitor S.B. McLean of Mar-

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See Pate, Page 4A

Williams Arrested for Killing Deputy Al J. Pate

Staff copy photo by Johnny Horne

A July 23, 1921, Fayetteville Observer headline heralds the arrest of Marsh Williams.

Pate

From Page 1A

ton, and his team included Clark, former Solicitor Neil A. Sinclair and lawyers Robert H. Dye, W. Carl Downing, Henry Lilly Cook, John H. Cook and H.L. Brothers, all of Fayetteville.

The defense team was led by Col. John G. Shaw of Fayetteville and included lawyers J.C. Clifford and N.A. Townsend of Dunn and lawyers V.C. Bullard, D.M. Stringfield and Duncan Shaw of Fayetteville.

One tough judge

The judge was John H. Kerr, the first law graduate of Wake Forest College. Kerr, who was from Warrenton, was one of the most feared judges in eastern North Carolina. Lawyers usually had to accept the cards they were dealt in 1921. Few continuances were granted and lawyers seldom could maneuver their cases away from the rigid, fire-and-brimstone Kerr.

Most of the lawyers in the case had heard Kerr's two-hour charge to the grand jury two months before. His reputation as a tough, non-nonsense judge had preceded him, and a number of the town's ministers joined lawyers and grand jurors to listen.

"I cannot say what other judges will do, but for me, let them come before me on a second offense of toting pistols and other crimes and they may just as well kiss their wives and families goodbye, because I am going to send them away for a long, long time," Kerr said.

The state's first witness in Williams' trial was Sheriff N.H. McGeachy, followed by three deputies who were with him when he led the July raid on Williams' still, about a half mile from Godwin.

They testified the still was hidden near the edge of a cotton field, not far from the Godwin-Falcon Road. They said they saw several men running from the still site when they pushed their way through underbrush.

Later testimony showed Williams and five of his still hands — Randall "Ham" Dawson, Uncle Bob Godwin and his two sons, Nell and Aubry, and Frank Smith — ran away when the officers closed in on them.

Godwin and his sons had testified at a preliminary hearing on Aug. 2 that Williams hired them to work at the still. They said he gave them guns and told them, "If the officers come, kill them with these."

The gunfire begins

McGeachy testified that he and his deputies dismantled the still and loaded it into their car. He was leading the way out of the swamp, moving ahead of the car on foot to avoid stumps. He said he dropped to the ground when someone began firing from ambush as the officers moved slowly out of the swamp.

Pate was sitting on the copper pot cooker the officers had placed on the rear seat of the car. He was shot in the right side and the bullet angled upward and passed near his heart.

Deputy C.H. Driver was the only officer who testified that he saw Williams. "Driver said that when the firing began he turned and looked him (Williams) squarely in the face and when he later saw him in the Raeford jail, he was positive he was the man he saw in the shooting at the edge of the cotton patch," according to a newspaper account.

The defense tried for more than an hour to keep Dawson off the witness stand. He was under grand jury indictment in the shooting and the fiery Shaw said his testimony would be self-serving.

Kerr ruled against Shaw's objections and Dawson testified that sometime during the night after the raid, Williams came to him and said, "I heard you were the man

LARGER THAN LIFE

The 'Carbine' Williams story



Third in a four-part series

Sunday: A crackdown on moonshiners in 1921 brings together Al Pate, a tough Cumberland County lawman, and Marsh Williams, who is making liquor in the woods near Godwin.

Monday: The raid on Marsh Williams' still turns violent and Al Pate is killed. Lawmen charge Williams with murder. Angry Fayetteville residents bury Pate.

Today: Marsh Williams stands trial and uses an insanity defense. One juror believes him and the case ends in a mistrial. A month later, he surprises county residents by pleading guilty to second-degree murder. He is sentenced to 30 years in prison.

Day 4: The warden of Caldonia prison learns he is impressed by Marsh Williams' ingenuity. He makes him a trusty and lets him invent a gun in the prison shop. The warden he invents is so impressed that the governor pardons him.

killing of Pate."

The defense called witness after witness in an effort to prove Williams was insane.

Dr. J. Allison Hodges testified he was convinced the defendant was not in his right mind at the time of the shooting and did not know right from wrong. But, according to The Observer on Oct. 13, Hodges admitted that he reached the conclusion that Marshall was insane "not as the result of his examination of him but after a conference held with members of the family and neighbors."

A witness named Thornton "told about Marshall going to the Bluff Church yard and digging on a grave because a man buried there gave him some trouble."

The prosecution countered with its own expert witnesses, among them Dr. Isaac Taylor of Morganton and the Cumberland County coroner, Dr. R.A. Allgood. Both disagreed with the defense's experts.

Allgood, described by The Observer as one of the leading physicians of the county, testified that he examined Williams. He said that "he did not believe Williams was up to the average intelligence of a boy of his age, but was certain he knew right from wrong and is mentally able to confer with his lawyers."

A different opinion

Taylor, who said he had 36 years experience with mental patients at the state hospital and at his own clinic in Morganton, testified that he "examined Williams carefully and had listened to all the testimony in the case so far and (was) confident that the young man is a sane man."

The jurors began their deliberations on Oct. 15. Two days later, they said they were deadlocked.

Only one vote kept Williams from being sentenced to die. The jury foreman said the panel was 11-1 for conviction. The foreman said no amount of argument could convert the one juror who believed Williams was insane.

The case ended in a mistrial.

No new date was set for Williams' retrial. But on Nov. 21, McLean — the solicitor who led the prosecution team in the mistrial — said that Williams' lawyers had requested a conference and wanted Williams brought to Fayetteville from the Raeford jail. Judge Henry Lane granted the request.

Word spread quickly through the courthouse that something was happening in the Williams murder case. Courthouse officers, members of Williams' family and an unusually large number of spectators crowded into the courtroom after the midday recess.

Shaw, Williams' lead lawyer, announced that his client was withdrawing his insanity plea and pleading guilty to second-degree murder. Lane agreed he would read the typewritten evidence of the first trial before passing sentence.

Later in the week, Lane gave Williams 30 years in prison, the maximum sentence for second-degree murder.

There was some unfinished business before Williams could be taken from the courthouse for the trip to prison in Raleigh. Ham Dawson, the still hand who had turned state's evidence against Williams in July, was tried on the assault charge.

Whom to believe?

Williams testified that Dawson fired four shots at the officers while Williams fired only once. Williams testified he did not shoot to kill, that when he shot to kill he always hit the mark.

Dawson was found not guilty. He left the courthouse, and The Observer reported as late as 1952 that he was never seen in the area again.

who directed the sheriff to the still."

Dawson testified Williams punched him with the barrel of his rifle. He said he told Williams he was not the informer.

Dawson said Williams told him, "I did some shooting down there the last time and damn it, I shot to kill."

Dawson testified that Williams came to him again the next morning and asked him to hold his rifle and told him, "If you tell what I told you, it won't be good for you: I will use this on you and you know I will do it."

'Broken-hearted' father

A reporter described the courtroom drama when Williams' father, J. Claude Williams, took the witness stand:

"The broken-hearted father of the defendant with tears trickling down his cheeks, breaking down at times under the ordeal, told to the jury the rather dramatic story of the life of his wayward boy, of his efforts to restrain him in his youth and ever hoping against hope that in the coming years the lad would reform and would make a real man out of himself."

Pressed by the prosecution to explain why he didn't try to have his son committed, the father "almost broke down when he replied that he, like every father who loves his boy, prayed every night and hoped that he would improve without having him confined."

A father's efforts

Claude Williams testified that he sent his son to military school at Blackstone, Va., "to help if possible to find out what he really wanted and see if the military was not his place and if that would please the chap he wanted to do what he could for him."

Col. E.S. Ligon, headmaster at Blackstone, said he dismissed the 17-year-old after he found several guns and 10,000 rounds of ammunition in Williams' trunk. He said he believed that the youth was insane at the time of the discovery, but admitted he allowed him to go home by train by himself.

The father insisted that he did not know his son was operating a liquor still. He said if he had known he would have told the sheriff. He denied on cross examination that he told someone, "I have paid Marshall's way out of trouble and will spend \$10,000 to get him out of the