KIMBRELL CASE NOW ON

FIVE TIMES SHOT, YOUTH TALKS.

Interesting Case Begun Yesterday Afternoon in Superior Court—Family Feud Outgrowth Took Form in Sensational Shooting at Park Driving Club—Victim Marvelously Recovered Despite Seven-Fold Perforation of Intestines—Cross-Examined, Thomas Admits That He Was Drinking. That He Had a Pair of Knucks at the Time of the Incident—Interesting Fight the Outlook.

Risen like one from the dead, his sturdy physique and [illegible] born of his rearing on a Mecklenburg farm, emerging victorious from the assault which precipitated a deadly struggle, Charles Thomas [illegible] the witness chair in Superior Court yesterday and demonstrated [illegible] which five bullets from the pistol of his brother-in-law, Charles B. Kimbrell, entered his [illegible] perforating his intestines [illegible] times.

The case is that of the State of North Carolina versus Charles Kimbrell, charging that on the 21st day of October he did assault Thomas with a deadly weapon to wit a pistol. The case was set for yesterday by special order and was called yesterday afternoon, Judge [illegible] presiding, the afternoon being taken up by Mr. Strong, who had performed an operation upon the young man [illegible] the night of the shooting, testifying [illegible] the nature of the wounds. The wounded man did not take the witness stand, being cross-examined by counsel for the defense. Sergeant Youngblood was used as a character witness for Thomas.

The shooting of which the trial is the outgrowth occurred in the apartments the Park Driving Club, No. 40 East Trade Street, upstairs. According to the testimony of Thomas and the general understanding, Thomas and his brother-in-law, Walter Hoover, had come to the club "about sundown." Walter Hoover, the boy of a mere 4 years would ever think of going the expression "sundown" to Thomas being imitated by Hoover to have a bottle of beer. Thomas was preparing to leave the place shortly afterwards, when the shooting occurred without any interchange of words between the two immediately preceding the affair, although Thomas testified yesterday that shortly before that Sam Kimbrell, brother of the defendant, had offered him a bottle of beer which he had declined, having [illegible] Quest [illegible] the defense indicated that testimony will be offered to the effect that Kimbrell had a short conversation with his brother between the two incidents.

Dr. Strong found the young man to have been wounded by five bullets, one of which went through his left [illegible], one through his side, one through his arm and one into his bowels. In the opinion of the surgeon, the pistol used was about a .32. The question as to whether the wound was [illegible] was objected to and the [illegible] sustained. Here the original [illegible] was introduced as exhibit A and the doctor pointed out the various [illegible] different missiles as they came from the weapon of Kimbrell. Other proof of close range. Ex-Judge Connor, for the prosecution, brought forth the story that night, from a number of places by doing so [illegible].

THOMAS ON STAND.

Thomas came forward and took the stand. He appears to be about 22 years old and made for the most part a rather good witness, although the defense succeeded in making him admit that he had six of seven "swallows" from a bottle of corn liquor during the days that he had in his pocket at the time of the shooting a pair of knucks which he had placed there thinking it might come in handy in case he should need them if Kimbrell, who had been making threats for days, attempted to fulfill his [illegible]. He admitted also taking part in a game of dice that afternoon at the fair grounds between Sam Kimbrell and himself, Felix Thomas finally effecting Kimbrell's [illegible] to strike his brother.

Thomas told of his coming to town that Wednesday to attend the fair. He found Sam and Charlie Kimbrell at the driving club grounds that night. Sam invited him to have some thing about a row on the fair grounds. He told him that he had nothing to do with that. Finally he got ready to leave and when Charlie Kimbrell drew his pistol and fired. At the second shot which entered my side, I felt, said Thomas, "back toward his wife who was partly behind me. He stepped in front of me, and said [illegible] you again, and stood me three times more. They he left. He was on the floor when the [illegible] came.

"Did you have any weapon on you?" asked his attorney.

"Yes, sir. I had a pair of knucks," said the witness.

"Did you [illegible] to use them?"

"I did not."

Mr. [illegible] cross-examined [illegible] was rather amusing [illegible] on the witness [illegible] in which [illegible] had started [illegible] o'clock that [illegible] had taken [illegible] another [illegible] other [illegible] another [illegible] he began [illegible] going home. [illegible] "according to [illegible] seven or eight [illegible]

"That's right," [illegible] "That's [illegible] take. He [illegible] enough to make [illegible] preciable [illegible]

"How many drinks [illegible] to take in order to feel it?"

"Oh, a dozen or two," [illegible]

"How many would it take to make you drunk?"

"About twenty-five [illegible]

"Twenty-five? That would be a gallon and a half, wouldn't it?"

"Oh, no! I did not take twenty-five out of a pint!" [illegible]

The witness denied that he and his companions had been twice put out of the fair grounds that afternoon. A man had told them the best thing for them to do would be to leave which they did. He had not gone inside again.

DENIED MAKING THREATS.

The witness was asked whether he had not told a man that Charlie Kimbrell had cheated his sister out of $200 and he was going to kill him.

"No," he replied, reading [illegible] said that I did say that he had cheated my sister out of $200 and that it would never do him any good. That's all I ever said."

Kimbrell married a sister of Thomas.

In this passage at arms was brought out for the first time the original trouble between the families—some matter relating to the settlement of an estate, about which arose a disagreement and out of this the feud. Thomas denied having previously said "Charlie Kimbrell is a blue-eyed — — — and his brother Sam is another."

Thomas admitted being with rowdy crowds at different places in the country referred to as Walker's, where he shot a pistol in the front yard, at Thomasson's, where he knocked down a boy for calling him a liar, at McKnight's and Zenos McKevitt's.

The indications are that the case will be a prolonged fight. Many witnesses will testify. Names called out yesterday afternoon were those of J. F. Neely, J. A. Walker, J. R. Porter, T. M. Alexander, S. S. Thompson, J. S. Crump, W. A. Neely, J. H. Ward, H. K. Sledge, Z. T. Smith, J. A. Ward, J. P. Stroup, J. P. McKenzie, L. Kerr, R. A. Torrence, David Linthicum, H. W. Flow.

Ex-Judge Frank I. Osborne, and Messrs. Plummer Stewart and R. G. Cousins are assisting Solicitor Clarkson in the prosecution. Messrs. E. T. Cansler, F. R. McNeill and LeRoy Kirkpatrick are counsel for the defense.

The parties concerned are from Steele Creek township, Thomas living sixteen miles from Charlotte. A large number of people from that section is present to attend the trial in which much interest is manifested. The defendant has been out on bond for a number of months, ever since in fact, the recovery of Thomas, which was at first despaired of, became assured.

A rather interesting feature in connection with the trial is the fact that the State rested after introducing only two witnesses having to do with the shooting. The defense called to the stand Mr. Dave Linsey, and asked him whether he knew of any threats which Thomas had made against Kimbrell. The State objected and Judge Connell said that the question would be incompetent. Argument was begun by the defense, however, in the nature of similar instances where such questions had been allowed and the judge held the matter over until this morning.

TO KEEP RECORD STRAIGHT.

State Senator Pharr Did Not Express Opinion as to Governor Kitchin's Attitude on Trust Legislation.

State Senator H. N. Pharr prior to his departure for Raleigh yesterday afternoon asked the writer of this article to correct a misapprehension appearing in The Observer Sunday morning and containing a few words from him as to the trend of events in the General Assembly, to make it plain that he did not express any opinion as to what was Governor Kitchin's attitude in the matter of trust legislation. The article in question did not so state, that expression being the writer's and not attributed to any one at all, but it appeared also with Senator Pharr's remarks, although in a separate paragraph, and hence, to the casual reader, linked in the minds of the [illegible].

This explanation is made in order that no misunderstanding may arise, although the issue is not one so very [illegible] after all. The interview was pleasant enough and gratifying, also, in that the solicitation of The Observer was [illegible] and proved eminently satisfactory to all those concerned in the doings of the present legislature.

SOLD STATE AUTOMOBILES.

Southern Automobile Company Negotiates Sales For Seven Splendid Automobiles to Citizens of Charlotte and Nearby Places.

Business in the automobile world continues to pick up and Charlotte customers are becoming more and more attached to the horseless vehicle. Among the sales which have just been negotiated by the Southern Automobile Company, one of the largest agencies in the city, are: Mr. George E. Wilson, Jr., a Studebaker "E-M-F," Mr. John W. Zimmerman, an "E-M-F" 30 H.-P., Mr. John Isaac Brown, Maxwell 20 H.-P. roadster, Mr. Earl E. Carpenter, Harding, a Jackson roadster, Dr. Stowell, of Dallas, a Jackson runabout, Messrs. J. H. Ross and J. H. Ham, a Jackson roadster, Mr. George A. Howell, Belmont, a Rex runabout.

Favor Raising Standard For Future Doctors.

At a called meeting last night of the Mecklenburg Medical Society the following resolution was passed:

"The Mecklenburg Medical Society endorses the bill as presented by the State board of medical examiners raising the educational standard for applicants for license to practice medicine." The bill provides that every applicant must have completed a high school course before he is permitted to stand the examination to secure license. This puts the matter in the hands of the State board, and takes it out of the charge of the different medical colleges which now are judges of whether or not the students shall be admitted. It is contended that the system is too diverse and haphazard to prove effective.

To Try South Carolina Suit.

Col. T. L. Kirkpatrick, of the Charlotte bar, will break away this morning from his heavy work in the local criminal court and leave for Camden, S. C., where he will be engaged for several days in the trial of the civil suit instituted by George F. Rudisill against the Stevens Lumber Company. The plaintiff has retained Colonel Kirkpatrick as counsel with the assistance of J. F. McDonald, Esq., of Winnsboro, S. C. The amount of damages which Mr. Rudisill seeks is [illegible] for the loss of an arm in the machinery of a mill, by the defendant company.

Dr. DeArmond on the Suburbs.

Dr. J. Mack DeArmond, who removed to the old Leigh farm from Mint Hill some weeks ago, is improving that property greatly and has expended about $2000 in a new house which he is building. Dr. DeArmond had established a large and lucrative practice in his old home, but decided that he would not enter the city. He is meeting with signal success in his present home in the city, and his many patrons there are glad to have him back.

At Tenth Avenue Church.

The steady, substantial growth of the Tenth Avenue Presbyterian church is a source of encouragement to its faithful membership. Recently the following named officers were elected: Elders, Messrs. C. V. Furr, W. D. Wallis and W. H. Cathey; deacons, Messrs. W. W. Orr, W. P. Pulliam, C. W. Frazier, W. O. Cochran and J. Lester DeLaney. On the fourth Sabbath of this month these officers will be ordained and installed. There were six accessions to this church last Sabbath morning.

Off to Laymen's Convention.

Quite a representative delegation of Charlotte church people of the latter left last night for Birmingham, Ala., to attend the great convention in the interest of the Laymen's Missionary Movement. This promises to be one of the largest gatherings ever held in the interest of this movement, which is by far one of the most vital of the church in many years. Representations of laymen from various parts of the country will be in attendance and the convention will be addressed by such inspiring speakers as J. Campbell White and others of his stamp.

BOOSTING CITY AT HARVARD.

Member of Cambridge's Greater Charlotte Club Writes About Club's Plans.

Judging the doings of the Greater Charlotte Club of Harvard as reported in a letter from one of the enthusiastic members, Mr. John W. Hutchison, the new organization appears to be planning some effective work for a Greater Charlotte. It says:

"Our Greater Charlotte movement is going along in fine shape, and we got up quite a little interest last week. Huck and Yates have taken an active part, but Mac is the strenuous one.

"I am going to get some more literature from Mr. Corwith; had a nice letter from him yesterday. We hope before long to get Mr. Corwith in correspondence with some parties, and we want to try to work so as to get Mac before the City Club of Boston to make an address on the piedmont section of North Carolina.

"Carter Dalton is the only one of our roommates who hasn't got the fever, just because he is from Greensboro, he is sort of sour about it. But Flint Harker has grabbed up a lot of literature and sent it off to Lexington already.

"I want to see that 100,000 there in 1916, and then there will be plenty of law business in good-sized lots.

"Huck spent the day and night with us last week and couldn't talk about anything else except the Greater Charlotte Club. He sat down and sent some pamphlets to his new lady-love in Richmond."

SUNDAY SCHOOL GRADUATES.

Changes in First Presbyterian Sunday School—Many Young People Move Up.

Some interesting changes have been made in the junior and primary departments of the First Presbyterian Sunday school. A number from the primary department have been promoted to the junior class, and as many from the junior department have "graduated" to the main Sunday school. The "graduates" from the primary class to the junior were: Elizabeth Blakeley, Elizabeth Brown, Adelaide Pearson Caldwell, Mildred Cowles, Mildred Finlayson, Mary Rogers Gibbon, Idella Hayes, Annie Lee Holmes, Cornelia Holmes, Lydia Howard Matthews, Janet Mellon, Jean McGuire, Elizabeth Miller, Nancy Shelton, Ruth Wallace, James Curry.

Those leaving the junior department were: Mary Alexander, Wilson Brown, Alice Shawhan, Lelia Graham Marshall, Charles DeArmond, Miss Catherine Reid, Harriet Orr, Caldwell McDonald.

Each class of graduates finished a prescribed course, the special requirement in the primary class being the perfect recitation of the child's catechism, in the junior class, of the shorter catechism. The primary graduates each received a Testament, the juniors, a Bible.

The Covenanters at the Edisonia Thursday and Friday.

The Covenanters Society of the First Presbyterian church has arranged with Mr. Snyder, of the Edisonia, to share the profits at the Edisonia Thursday and Friday of this week. Mr. Snyder having agreed to allow them the proceeds from all the tickets they will sell for admission to the Edisonia for the two days named. The boys, and their girl friends, were out yesterday afternoon selling tickets and had excellent results. Mrs. C. M. Carson is the inspiration as well as manager of the Covenanters and she has secured this work for the band. The proceeds from the moving picture tickets for Thursday and Friday will go toward helping build a school house in the mountain mission districts. The Covenanters hope for liberal patronage at the Edisonia.

Beware of Frequent Colds.

A succession of colds or a protracted cold is almost certain to end in chronic catarrh, from which few persons ever wholly recover. Give every cold the attention it deserves and you may avoid this disagreeable disease. How can you cure a cold? Why not try Chamberlain's Cough Remedy? It is highly recommended. Mrs. M. White, of Butler, Tenn., says: "Several years ago I was bothered with my throat and lungs. Someone told me of Chamberlain's Cough Remedy. I began using it and it relieved me at once. Now my throat and lungs are sound and well." For sale by W. T. Hand & Co.

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A prominent medical man, who suffered with a severe cough and cold on the lungs, often being kept awake all night, and weakened by loss of sleep, finally discovered a simple formula which will cure any cough in five hours by the clock. It is a laxative tonic cough syrup which can be made at home by any one and the formula is here given for the benefit of those who pass sleepless nights in painful paroxysms. Those who have tried it say it is magical, and beats any high-priced, slow-acting cough medicine ever sold.

Mix in a bottle, one-half ounce fluid wild cherry bark, one ounce compound essence cardiol and three ounces syrup white pine compound. Take twenty drops every half hour for four hours. Then take one-half to one teaspoonful three or four times a day. Give children less according to age. This will tone up and rid the system of deep-seated coughs every time.

—Mr. J. S. Cothran has commenced the erection of his new house at the corner of College street and Phifer avenue, just in front of the Presbyterian College. Mr. S. J. Asbury has the contract.

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The Thirst Hospital

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It's no pleasure to iron—not to iron the big, heavy flat pieces in the washing, at any rate.

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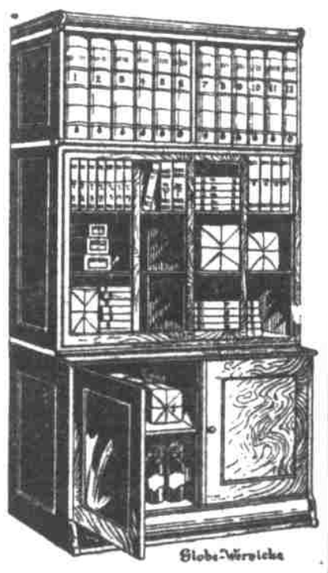

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