

Governor Says He Will See That N. C. Week at Jamestown Is Success

Governor and Party Return from Opening of Exposition. Grounds Not Yet in Shape. N. C. Week in August.

Young Man Charged with 1st Degree Murder. "Pernicious Activity." Delegates to Unveiling Ceremonies.

Special to The News: Raleigh, N. C., April 27.—Governor Glenn returned this morning from the opening ceremonies of the Jamestown Exposition, and says the exposition bids fair to be a great show, but it will take 20 days to get it in anything like a fair condition.

North Carolina, he says, has a splendid building and he intends to see to it personally that North Carolina week in August is a crowning success. He says he and Mrs. Glenn will occupy the North Carolina building that week, and as the official host and hostess, cordially welcome all North Carolinians.

First Degree Murder Charge.

Rowden Black, who came to this county from Fayetteville, and who has been in jail here since Monday for shooting to death Marshall Rowland at Willow Springs Sunday, was committed to jail without bail last evening to answer the charge of murder in the first degree at the next term of the Superior Court, the commitment being by Coroner Sparks, as the result of an inquest held during the afternoon. Witnesses examined were the younger brothers of the married boy. They told of the demand made by Black on the younger Rowland for whiskey. His reply that he didn't "have to get it," the abuse by Black; the demand of the elder brother for an explanation of the treatment of his brother, and the three shots fired by Black with the fatal result.

Pernicious Activity.

Civil Service Commissioner Henry T. Green spent yesterday and today here investigating the charges made by Senator Simmons, as Democratic State chairman, of pernicious activities of Republican office holders in the last political campaign. He has already visited a number of western Carolina towns on this investigating mission and will go next week to Beaufort and a number of the eastern Carolina points, when his work will be completed and his report filed with the department at Washington.

Workmen In Fatal Crash In Collapse of New Pier a Score of Workmen were Carried Down. Two Bodies Missing.

While here Commissioner Green saw for the first time the grave of his father, Rev. Henry Fay Green, who was buried here in 1860. He was an Episcopal clergyman, Commissioner Green, while yet a school boy, had arranged for a suitable stone to be placed on his father's grave, but he had never seen the grave until he visited it on this trip.

Unveiling of Monument.

At a meeting of the Raleigh Chapter of the North Carolina Society Colonial Dames, held last evening, Mrs. A. B. Andrews and Mrs. William J. Martin were selected as representatives of the chapter to attend the ceremonies at Wilmington next week for the unveiling of the monument to Cornelius Harnett. Features of the ceremonies in Wilmington will be the address for the unveiling by Dr. C. A. Smith, of the University of North Carolina; a pilgrimage to old St. Philip's Church at Old Brunswick on the Cape Fear, and an elaborate official reception to the visiting Colonial Dames at the splendid Colonial residence of Mr. and Mrs. Jas. Sprunt.

State Auditor B. F. Dixon returned this morning from Westminster, Rutherford county, where he delivered the address for the closing of the Rutherford College there. He says that according to the opinion of the farmers in the section he visited the fruit was practically all killed by the recent severe cold and frosts.

Rev. Livingston Johnson, corresponding secretary of the State Baptist Convention, has gone to the eastern part of the State for several days in the interest of the cause of missions. He says the work is growing steadily and contributions are already showing a marked advance over the record for the same period last year.

Mantco and Seaton Gales lodges of Odd Fellows are preparing for a joint celebration of the eighty-eighth anniversary of the foundation of Odd Fellowship. There will be a class of orphans from the Odd Fellows Home at Goldsboro and the Grand Master has been invited and will, in all probability, attend and deliver an address.

Mr. McNinch to Deliver Address at Winston

Special to The News. Winston-Salem, N. C., April 27.—Mr. Frank R. McNinch, of Charlotte, has accepted the invitation to make the principal address at the Pythian memorial service to be held at the Elks' auditorium Sunday, May 12th.

President Ana Party Visit Old Estates

By Associated Press. Norfolk, Va., April 27.—President Roosevelt and family with four invited guests are inspecting the old colonial architecture along the James river, Virginia.

They are making a trip on the naval yacht, Sylph, and if the program is carried out, they will visit Brandon, the estate of the Harrison's Westover, the estate of Byrd's and Shirley and the estate of the Carters.

The party also will inspect the old church tower at Jamestown.

The day is far from being pleasant, with drizzling showers in the morning. There has been no communication with the Sylph in Hampton Roads since yesterday. The President insisted that his stops should be entirely informal, and it was announced that if it appeared that these plans were in danger of being miscarried he would not make the stops scheduled.

Sets Off for Washington.

At no point touched by the President is there direct communication with the outside world.

Leaving Jamestown late this afternoon the President will not make any stops between there and Washington on his return trip. He made a formal goodbye to the exposition officials last night.

THE STORY DIVORCE.

Decree of Divorce Granted Dissolving Marriage of Eams-Story and Husband.

By Associated Press.

New York, April 27.—Judge Tompkins, of the Supreme Court, White Plains, has granted an interlocutory decree of divorce dissolving the marriage between Emma Eams-Story, prima donna, and her husband, Julian Story. The action and decree are based upon statutory grounds. No correspondent of social prominence is involved. She is permitted to resume her maiden name and to remarry.

TRAIN WENT THROUGH BRIDGE.

All of Passengers Were Injured in Accident.

By Associated Press. Lampasas, Texas, April 27.—A mixed train on the Houston and Texas Central went through a bridge between here and Burnett today.

Nearly every passenger was hurt.

Workmen In Fatal Crash

In Collapse of New Pier a Score of Workmen were Carried Down. Two Bodies Missing.

By Associated Press. Baltimore, Md., April 27.—The new pier under construction in South Baltimore, collapsed today carrying down about a score of workmen.

Six bodies have been recovered, two men are missing and 15 were injured.

This is believed to cover the extent of the casualties.

NEW COTTON MILL.

Stock All in Sight and Meeting Called to Organize.

Special to The News.

Statesville, April 27.—It has been mentioned recently that Statesville was to have a new cotton mill and that most of the stock had been subscribed for. The stock is now all in sight and a meeting of the stockholders has been called. This meeting will be held in the office of N. B. Mills, the promoter of the mill on May 2, and the company will be organized.

The new concern will be known as the Francis Cotton Mills Company, and will have a capital stock of \$110,000. The location for the new mill has not been decided on.

Flower Co. Chartered.

Special to The News. Raleigh, N. C., April 27.—The Company of Greensboro was chartered today to grow flowers, plants, seeds, vegetables at a capital of \$10,000, authorized by W. C. Porter, P. E. Duffy and others.

Jay Gould Won.

By Associated Press. London, April 27.—Jay Gould won in three straight in the second round of the international amateur lawn tennis tournament.

Charged 19 Cents for Murder.

Tanger, April 27.—A Portuguese was murdered yesterday at Casablanca by a negro in the pay of a Moor. The murderer received one franc.

Hermann Acquitted.

Washington, D. C., April 27.—The jury in the case of Binger Hermann, former commissioner general of the land office, on trial for the destruction of public records, returned a verdict of not guilty.



\$10,000 Bond Required Of P. G. Fonville, Charged With Conspiracy in Bank Robbery

Hearing Before Commissioner J. W. Cobb of Cotton Broker Believed to be Connected With Jones' Defalcation.

How Fonville and Jones Are Alleged to Have Worked the Ropes in Securing \$73,500 of the Bank's Money.

Suddenly dropping his eyes to the floor, nervously wringing his hands in a sort of unconscious rapidity, completely changing the expression of his countenance to sad dejection, it was evident that Mr. Percy Fonville was exceedingly shocked when United States Commissioner J. W. Cobb in a preliminary hearing last night refused the prayers of the defendant's attorneys to give the prisoner his freedom, binding him over in the sum of \$10,000. Fonville was indicted for aiding and abetting and for conspiracy in the robbery of the Charlotte National Bank of \$73,500 by Frank H. Jones, who until April 16th was acting cashier of the institution.

Defendant Came in Bravely. The defendant was represented in the hearing which was held in the Federal building by Messrs. Stewart & McRae. He sat between his counsel during the process of the hearing, maintaining a brave disposition, talking freely as if explaining to the attorneys the facts which involved him in Jones' defalcation. There was little visible mark of dejection on his face until Commissioner Cobb maintained after the argument of counsel that there was probable cause, succeeding which District Attorney Holton asked that the defendant be held under a bond of \$20,000.

Visible Mark of Dejection. When his counsel plead with the Commissioner to make the bond small enough to enable the prisoner to secure the amount, stoutly maintaining that Fonville should not languish in jail because of evidence so flimsy when his gray-haired father, his wife and children in a distant state were dependent upon him, the defendant evidently looked upon the situation from a new point of view, and felt more sensibly than ever before the song of the pain.

Fonville is the Man Wanted. District Attorney Holton made bold to announce to Commissioner Cobb that Fonville is the man wanted most of all. He is responsible to a large degree for the downfall of Jones. We have been after the "son of-a-bitch" who got the money and we think we have him now. The books show that Jones got none of the money. Fonville received it all, and possibly divided it with Jones afterward. The false entries in the bank books disclose the fact that they were always to the credit of the defendant. He is the man we want. The books themselves will form sufficient evidence against the admitted defaulter.

Hearing Lasted Three Hours. Squire Cobb called his court at

10 o'clock. There was a good sprinkling of people in the building at the close of the preliminary at 1 o'clock this morning. The defendant was kept under the constant care and surveillance of Marshal Sims until the opening of the court when he was allowed to sit between his attorneys. After stating the charge held against Mr. Fonville District Attorney Holton introduced the following witnesses: President B. D. Heath, W. B. McClintock, individual bookkeeper; H. L. Evans, collector; C. W. Butt, general bookkeeper and W. H. Twitty, cashier. The records of the bank were offered in evidence and the passing of checks from hand to hand, examining accounts and looking up item by item constituted the main testimony taken for more than an hour.

How the Bank Was Robbed. Facts were disclosed during the examination of Mr. McClintock making public for the first time information held heretofore by the bank officials in regard to the policy pursued by Jones in securing the large sum of money from the bank. It was offered in evidence against Mr. Fonville to sustain against him the charge of conspiracy that on one occasion, March 13th, in his own hand-writing a deposit slip was sent to Jones calling for \$8,000 to be placed to his individual credit. The other books show that this was a fictitious entry, such a sum never in reality having come to the bank on Fonville's account.

Covering Up His Tracks. In order to cover up his own tracks and to make it appear straight on the records of the banks, Jones raised on his balance sheet four checks on local banks due the Charlotte National, each calling for \$2,000 in excess of what they really were, making the total of \$8,000. On this same date, Mr. Fonville wrote a check made payable to the V. P. Randolph Co. for \$6,682.50, and individual checks covering the remainder of the \$8,000 he was credited with on the deposit books, but which he really never had in the bank. Other deals of the same sort were proven to have been made, this being the basis of District Attorney Holton's charge.

Tug Sunk in Bay. By Associated Press. Baltimore, Md., April 27.—The Standard Oil tug Radiant sank in Chesapeake Bay below Baltimore today. No lives were lost.

Many Athletes Are Present

Greatest Gathering of Athletes in Country's History Meet at Philadelphia. U. N. C. Represented.

By Associated Press. Philadelphia, Pa., April 27.—More than 1,200 athletes are ready for this afternoon's carnival of field sports on Franklin Field. The collection of contestants is one of the largest ever assembled at any athletic meeting in this country. The South is represented by delegations from the Universities of Virginia, Georgetown, George Washington and North Carolina.

Not The Unwritten Law But Self-Defense Basis Of Kimball's Acquittal

A Shooting Affair At Greenville, S. C.

Special to The News. Greenville, S. C., April 27.—Early last night Ben Colbert, a block operator on the Southern Railway, shot Turner Stokes, another operator. Colbert covers the night trick and Stokes the day job.

It appears that the men became involved in a difficulty as to whose duty it was to go on duty a certain hour.

Stokes was shot in the arm and is not seriously injured. Colbert says he shot Stokes because he was advancing on him with a piece of timber.

Decision As To Passenger Rates

By Associated Press. Richmond, Va., April 27.—The State Corporation Commission handed down a decision today in the rate cases by which, after July 1st, passenger rates on the trunk lines are reduced to two cents per mile; on their feeders to 2 1-2; on certain minor roads they will be three and on one or two lines 3 1-2 cents.

On freights a uniform schedule is established thereby making a slight reduction.

Judge Ward Closed Busy Week of Court

The April term of the criminal court which has been in session for the past week closed this afternoon at 3 o'clock, the docket having been cleared of all cases ready for trial. None of the larger cases went over except that of George Livingstone who is charged with the burglary of several hotels in the city. He will be tried in June.

Judge Ward's initial appearance before the local bar won for him lasting note as an exponent of the law, vigorous in his denunciation of crime, a man of culture and legal ability. He was solicitor during the trial some years ago of the man Wilcox, charged with the murder of Nellie Cropsey in eastern North Carolina. He believes in the enforcement of the law, whatever the law may be, and never fails to perform his duties in a manner worthy of his high position.

He will spend next week in the city holding a one-week term of civil court which begins Monday.

Ex-Governor Bullock Dead

Former Governor Bullock, of Georgia, Died To-day. Served in Confederate Army. His Life History Told in Full.

By Associated Press. Buffalo, N. Y., April 27.—Former Governor Bullock, of Georgia, died at Albion.

Died at Old Home. Mr. Bullock died at his family home in Albion, where he had resided since the death of his wife. He was 73 years of age and leaves a daughter, Mrs. Leonard Kendall, of Greenville, N. J., and son, Freeman Bullock, of Omaha.

His Life Work.

By Associated Press. Atlanta, Ga., April 27.—Former Governor Bullock, whose death is announced, was born at Bethlehem, N. Y., March, 1834. After graduating from Albion Academy, he came to Augusta, Ga., where he was connected with the Southern Express Company, assisting in its organization.

Although opposed to secession, he entered the Confederate service, serving four years in the civil war and attaining the rank of lieutenant-colonel. He was elected governor of Georgia in 1868. During the latter years of his life he was connected with a number of prominent commercial enterprises, being president of a bank at Augusta, president of the Atlanta Cotton Mills Company, and of the Atlanta Chamber of Commerce, and was among the prime movers in the Atlanta exposition in 1881 and 1895.

Harverford Col. Alumni Entertained at Concord

Special to The News. Winston-Salem, N. C., April 27.—The alumni of Harverford College, residing in North Carolina, were delightfully entertained here last night by Col. W. A. Blair.

The society was organized with Colonel Blair as President. Dr. W. W. Comfort, professor in Harverford, made the principal address.

Commodore George W. Gardner left this morning for Cleveland after spending several days here with his son, Mr. J. O. Gardner.

Murderer of James Stephenson Given his Freedom by Judge Ward's Ruling on The Evidence of Both Sides.

Solicitor Clarkson Left Matter With the Court Who Maintained Self-Defense And Ordered Verdict of Not Guilty.

With all the evidence concluded on behalf of the State and the defendant in the case against Mr. J. T. Kimball, charged with the murder of Mr. J. M. Stephenson some weeks ago on the Pineville road—with a crowded court room silently awaiting the expected heated argument of the attorneys, Judge George W. Ward made somewhat of a sensational ruling in his court this morning when he requested the jury to retire and announced to the counsel on both sides that he would take the responsibility for acquitting Kimball and discharging the case.

Judge Ward called on Mr. Clarkson for an opinion on the situation and the Solicitor was prompt in replying that the preponderance of the evidence was in favor of justifiable homicide, and that while he had no sentiment at all for the so-called "unwritten law," or any such arguments, he believed that the testimony proved a plain case of self-defense. The jury was called back into the court room and Judge Ward, addressing them, said:

There's No Unwritten Law. "Gentlemen of the Jury, I have decided that if you believe all the evidence, I would ask you to return a verdict of acquittal in this case. I am particular to state in this connection that when a man kills another with a deadly weapon, the burden of proof is on the defendant to show that it was a case of self-defense. The evidence in this case shows that he was justified in killing his antagonist. It is not a law in this State, nor anywhere else that a man has a right to go down a road and kill another for feloniously assaulting his wife. But he did have a right to follow up the accused and is assailed to have killed him in self-defense. Enter a verdict of 'not guilty,' Mr. Clerk."

Verdict Met With General Approval. This announcement fell upon sympathetic ears, because it was evident throughout the entire trial which began yesterday afternoon that public sentiment was decidedly in favor of Mr. Kimball. The defendant and his wife, through whose face shines beauty and purity were allowed to pass out of the court house and other business was taken up. There was no wild mark of approval, but very visible signs that the spectators and all interested in the case were pleased with Judge Ward's ruling.

Five Jurors Had Formed An Opinion. The defendant in the hearing, Mr. J. T. Kimball, was arraigned yesterday afternoon, Solicitor Clarkson announcing to the jury that he would ask only for a verdict of murder in the second degree. When the disposition of the jurors was being ascertained, five excused themselves when asked if they had formed an opinion that the defendant was not guilty. This act on the part of the jurors established confidence in the defending counsel, Messrs. McNinch and Kirkpatrick. The jurors who excused themselves were Messrs. W. P. Smith, A. E. Wearn, D. A. Johnston, Denny and Cather.

Mr. O. C. Hunter was the first witness called by the State. He said: "I was sitting on my front porch on the evening of the killing, I heard screams down the road toward Mr. Kimball's and went immediately. Someone stopped me en route and told me that a dead man was lying down there. I continued my journey, and when I reached a point 200 yards from Mr. Kimball's I found a stranger dead. I saw a man and woman coming toward me, only a few feet away then. It was Mr. and Mrs. Kimball. I asked him what was the trouble and he said 'Mr. Hunter, they say I have killed a man, but if I did, I don't know how I done it.' I sent Mr. and Mrs. Kimball home and went to phone for Sheriff Wallace. I then walked down to Kimball's house."

"Did you say anything to him?" asked Mr. Clarkson.

"I told him that the officers would be here in a few minutes to take him to jail."

"What did he say then?" "He said 'My God, Mr. Hunter, if a man has to go to jail for protecting his wife and home, what's the use of having one.' I asked him then how it happened and he stated that the dead man had gone into his house and attempted to outrage his wife.

"I picked up my gun" (witness quoted the defendant), "and followed him up the road. As I approached him I hailed him and asked him what he

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