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MURDER IN FIRST DEGREE ASKED BY PROSECUTION

Believed That Verdict Will be Guilty or Not Guilty

LITTLE PROBABILITY OF OTHER VERDICT

Where Poison is the Instrument Used It is Presumed That There Was Pre-education—An Exception to General Rule is the Matthews Case From Greensboro, in Which He Was Convicted of Second Degree Murder and the Instrument Used Was Poison—General Opinion is That if Judge Long Does Not Charge Jury That a Verdict of Less Degree Can Be Returned That Dr. Rowland and His Wife Will Be Acquitted—If It Is Charged That a Less Degree Can Be Returned Acquittal is Considered More Doubtful—Will Not Go to Jury Before Late This Evening or Tonight.

It will be very late this afternoon or tonight before the Rowland case goes to the jury, for there are several speeches to be made during the afternoon and the charge of the judge will probably consume as much as an hour.

It is believed that on the charge will depend very much the action of the jury. It is Judge Long charges that a verdict of murder in the first degree only should be returned, it is generally believed that the Rowlands will be acquitted. But if he should charge that a verdict of a lesser degree can be returned, the action of the jury is considered far more doubtful. It is generally held that where it is charged that poison was the means of death that the jury can return a verdict of no less degree than murder in the first degree, but in the Dr. Matthews case, which was tried in Greensboro several years ago and in which Dr. Matthews was charged with having murdered his wife by the use of poison, a verdict of murder in the second degree was returned, and the supreme court affirmed the decision of the lower court. The supreme court held that the use of poison was presumption of murder in the first degree but it could be rebutted.

The attorneys for the state are asking for a verdict of murder, and feel that they have made out a sufficient case for the jury to convict. They say that Rowland had a motive in murdering Strange, and the motive was that Rowland desired to marry Mrs. Strange. All of the suspicious circumstances in the case are dwelt upon, the testimony of the engineers and others connected with the Seaboard Air Line, and the jury asked to compare the evidence as given by witnesses for the state, and the probability of its truthfulness, with that of witnesses for the defense.

For the defense, attorneys have shown how easy it is to be wrong in circumstantial evidence, how insufficient trifles can be welded together and out of nothing make what appears on the surface to be a reasonable case. They lay emphasis on the fact that it is plainly shown why he ordered the acornite and why he was seen so frequently in the northern section of the city. He married Mrs. Strange, they say, because the gossips were trying to make scandal and there was no honorable

Rev. A. F. Wilmington-Ingram, Bishop of London.



Wilmington-Ingram, Bishop of London. Lord Bishop of London, one of the distinguished foreign delegates to the conference in Richmond, Va. He is a preacher of world-wide celebrity.

course left for him except to marry. Emphasis is also laid upon the fact that no evidence was introduced by the state to show that Strange had a single symptom of a man who dies from acornite poison; that the body after death was like that of a man who had died from any natural cause.

Yesterday afternoon Mr. Walter Clark, Jr., made the opening speech for the state, and was followed by Col. J. C. L. Harris for the defense. Court convened this morning at 9 o'clock and the speaking was resumed, the first speech having been made by Mr. Elmer Shaffer, of connections for the state. He was followed by Mr. T. T. Heels and Mr. Walter Watson for the defense. The order of the other speeches is as follows: Solicitor Armistead Jones for the prosecution; Mr. J. N. Holding and Major S. G. Ryan for the defense, and Col. T. M. Arce closes for the state.

Not since the Rowland trial started has the crowd been as large as this afternoon. Although the court room is close and hot, every seat is occupied and standing room is hardly to be found. There was a large crowd during the morning session but not as large as this afternoon, and if court is in session tonight, and there is every reason to believe that the judge will not have an opportunity to make his charge until after night, another crowded court room may be expected.

When court convened this afternoon Solicitor Jones began speaking and at the time of going to press he had not concluded. Every attorney who has spoken so far has made a strong argument from his

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IT WILL TAKE BLOOD TO WIPE OUT THE COLOR LINE

(By Leased Wire to The Times.)
Boston, Mass., Oct. 5.—C. William Hinds, colored, of Biloxi, Miss., declared in an address at Chelsea that the color line could only be washed out in blood. Hinds, who was formerly a state senator in Mississippi, said:

"The ballot box, the jury box, and the cartridge box are denied the non-white race in the south. In the majority of the northern states the ne-

grom is seldom picked as a juror. The president of the United States has now taken the cartridge box from them, so the non-white race is no completely dismantled of citizenship.

"The color line must go, even if it is wiped out in blood. We can get arms and ammunition, also money. The next thing is to keep on drilling so as to understand the tactics of war, but we must liberate ourselves from the hellish slavery that exists against the dark races."

BISHOP HENRY C. POTTER, OF NEW YORK.



Photo of Bishop Henry C. Potter, of New York, attending the Conference at Richmond, Va., who has been suggested as Archbishop of the Episcopal Church. He is one of the most distinguished clergymen in America. He is a man of broad views, and has time and time again proven himself the sincere and devoted friend of color.

DR. MOMENT DIED TODAY

Rev. Alfred H. Moment, D.D., pastor of the First Presbyterian church of this city, died this afternoon at a quarter to three. He had been ill with typhoid fever for several weeks, but those in attendance did not give up hope until last night. It was feared he would not live until morning.

Dr. Moment was educated at Princeton Theological Seminary, he was widely read and had a broad grasp of subjects. There was nothing narrow about him.

Dr. Moment was born in Canada in 1852. He had served as pastor of churches in New York City and in Brooklyn, serving seven years in each city. In 1906 he resigned from his pastorate and traveled extensively. He spent three years in touring Europe and other countries. He was a close observer, and his sermons were replete with wisdom acquired both from the study of books and of nature.

Dr. Moment came to Raleigh in March, 1902, and served as supply pastor of the Presbyterian church. One year later he was called to the pastorate. From the first he was marked as a scholarly man and earnest divine. He won the affection of all with whom he came in contact, and before he was here long, he won the love.

He was married in New York City, but his wife preceded him to the grave. An only child, Miss Julia Moment, survives.

The sympathy of the entire community goes out to her in her great sorrow, and the news of Dr. Moment's death will cause grief in many a household.

OBLIGATORY ARBITRATION

(By Leased Wire to The Times.)
The Hague, Oct. 5.—In a speech today before the committee on arbitration, Baron Maréchal Von Biderstein of the German delegation to the peace conference, stated that he was in favor of obligatory arbitration, but opposed to the proposed treaty including all the nations of the world. Having dealt with matters of war the conference should do something for peace. He said he favored obligatory arbitration on the line of the treaty just concluded between Argentina and Italy. It was an individual treaty. A world-wide treaty would create new difficulties.

RUMORS ABOUT THE SOUTHERN

Latest One From New York Is "Strongly Denied"

WHAT THE OFFICIALS SAY

It is claimed that the road is in "the best possible condition," and that all rumors that the company may be put in the hands of a receiver by the federal court or otherwise are false. Nothing of the sort is expected—earnings at present more than expected.

(By Leased Wire to The Times.)
Washington, Oct. 5.—The rumor that a receiver will be appointed to manage the affairs of the Southern Railway located here from New York and was met by the officials of the road with a strong denial. In fact, the denial is as strong as that made of the rumor in New York yesterday by President Finley, of the Southern.

While the exertion of selling pressure on selling shares of the Southern in Wall Street drove down in price, the road is making a larger percentage of earnings than it was hoped for in the operating expenses, although those expenses are larger this year than they have been for a long time.

Officials of the road claim the company is in the best possible condition. The rumor that says the road may be put in the hands of a receiver by the federal courts is also denied by the management on the ground that the road has pursued a policy of conciliation with the courts, and such action by the federal branch is not looked for at all.

ARGUMENT AT ASHEVILLE NOT FINISHED TODAY

(Special to The Evening Times.)
Asheville, N. C., Oct. 5.—Judge Pritchard is today hearing argument of counsel on the appeal by the state from a ruling of Judge Montgomery, the master in the railway rate controversy, who held that the state's counsel should not go back further than June 30, 1905, in an examination of the Southern Railway books. Mr. Woodard, Mr. Justice and Judge Shepherd are representing the state and Mr. Busbee and Mr. Thom the railway.

KING EDWARD AND ROOSEVELT

Gifts From Them to Old Church Presented Today

A BIBLE AND LECTERN

Lord Bishop of London and Bishop Satterlee of Washington Were the Central Figures in the Ceremonies Today—Peculiar Historical Significance of the Occasion—Episcopal Convention Resting Today, But a Great Gathering Attends Open-Air Address and Songs at the Capitol Park.

(By Leased Wire to The Times.)
Richmond, Va., Oct. 5.—Bishop Satterlee, of Washington, and the lord bishop of London were the two central figures in the ceremonies incidental to the presentation of the King Edward Bible and the Roosevelt lectern to Old Bruton Parish church at eleven o'clock today.

The occasion was one of peculiar historical significance when the lord bishop of London preached from the pulpit of a church in America where for over a century his predecessors in office held ecclesiastical jurisdiction. A large number of witnesses visited the ceremonies of the day.

The lectern was presented by the bishop of Washington, representing the president of the United States, and received by the bishop of South Virginia. The Bible was presented by the lord bishop of London and received by the presiding bishop of the American Episcopal Church.

The bronze bas-relief memorial given by the American Episcopal Church in memory of the life and service of the Rev. Robert Hunt, minister of the colony which landed at Jamestown on May 13, 1607, has been completed and was placed on exhibition in the tower of Bruton Parish church. The offering taken at the morning session will be divided between some special missionary work in the diocese of the lord bishop of London and the permanent endowment fund of Bruton Parish church.

The whole general convention visited Bruton Parish in the afternoon. A special train left at 2 p. m. and a special service was held at Bruton church at 4:30 p. m. when seats were primarily reserved for the membership of the general convention.

Bishop H. H. Montgomery, secretary of the society of the Propagation of the gospel, and the Rev. Dr. Arthur S. Lloyd, secretary of the American church board of missions, spoke at this service.

Afternoon tea was served in the yard of the parish house to the members of the general convention and the visiting members of the women's auxiliary. Bishop Satterlee of Washington will be one of the special preachers today and will deliver his sermon from the pulpit of old Christ church.

Open-Air Songs at Capitol Park.
The convention is resting today after the arduous labors of the past week, but will attend en masse the open-air evening song on the Capitol steps at which the lord bishop of London will deliver one of his characteristic addresses.

The choir of all the churches in Henrico parish will be asked to take part and will have seats on the steps of the Capitol, from which the lord bishop will speak. Members of the house of bishops will have chairs on the main parterre of the capitol and from the clear space on all sides it is thought that fully 10,000 people may be able to get within the hearing of the lord bishop's address. No formalities will mark the occasion and neither the choir nor those taking part in the service except the preacher will appear in vestments. Immediately following the address of the lord bishop of London will come a special service for the convention and visitors in St. Paul's church, when evening prayer will be read and the sermon will be by Rt. Rev. Edgar Jacob D. D., Lord Bishop of St. Albans, another of the distinguished English bishops attending the convention.

WATER WAY DEVELOPMENT

CONVENTION

(By Leased Wire to The Times.)
Memphis, Tenn., Oct. 5.—If the matter of water-way development could be left to the governors of the states of the middle west and south, the matter which the convention is now in session to determine would be assured.

Of all those who have addressed the convention most are enthusiastic of ultimate success. Governor Cline of Iowa, Governor Poff of Missouri, Governor Dindall of Arkansas and Governor Brooks of Wyoming are more than enthusiastic.

The meeting adopted resolutions favoring the bi-lateral intervention. An effort was made by Governor Cline and others to include the tributaries of the Mississippi but that was defeated by a vote of 10 to 1. The fight for the channel from the Chicago drainage canal through to the gulf was made by Governor Blackford of Louisiana.

Governor Dindall was one of the first speakers today. He was followed by Governor Barker of North Dakota, Governor Chamberlain of Oregon and Governor Brooks of Wyoming. All were enthusiastically received. Their speech gave assurance of the people of their several states to the project in hand. The convention will adjourn by three o'clock this afternoon, as it is necessary to place the auditorium in charge of the caterers for preparation for the dinner tonight.

One of the Speakers Collapsed.
(By Leased Wire to The Times.)
Memphis, Tenn., Oct. 5.—Immediately after the delivery of his speech to the delegates of the waterways convention this morning, President Vance of the Ohio Valley Improvement Association, collapsed and was taken to the hospital, where it is said his condition is serious.

TOO HOT FOR MR. VEERLAND; HE GETS OUT

(By Leased Wire to The Times.)
New York, Oct. 5.—Herbert Harold Veerland has resigned from the position of manager for the receivers of the Metropolitan Street Railway Company and the New York City Railway Company, to which he was appointed just after the receivership was ordered by Judge Lacombe in the United States circuit court.

Open Road, Vice-president of the New York City Railway Company, has been appointed his successor. Mr. Root, his nephew of Elinor Root, the confidential counsel to Thomas F. Ryan.

At the time of this announcement to the public Douglas Robinson and Adrian Joliffe, the receivers, had not issued a formal statement of the disposition of Mr. Veerland, but they were preparing one. Mr. Veerland was at his country home at Brewster, N. Y.

At the time of Mr. Veerland's appointment as manager for the receivers it was announced that as the practical head of the surface lines of Manhattan he was the only man who could properly guide and advise Mr. Robinson and Mr. Joliffe. This was before the inquiry into the public service commission conducted by Mr. Ryan had contacted Mr. Veerland with some peculiar transactions in connection with the Metropolitan's elastic "construction account."

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(By Leased Wire to The Times.)
Seattle, Wash., Oct. 5.—Elinor Root, wife of Boston manufacturer Jewell Root, brought suit for \$20,000 today in the superior court of this city, accusing the Rev. William G. Jones, pastor of Emmanuel Baptist Church of Seattle, with alienating the affections of Mrs. Root. Rev. Jones lately married Miss Mattie Horton, young-

WOODMEN WON'T SPARE THEM

Famous Trees in Washington Being Cut Down Today

PLANTED BY GREAT MEN

(By Leased Wire to The Times.)
Washington, Oct. 5.—The Crittenden peace tree, which for more than forty years has stood in the botanical gardens, will be destroyed today and with it also goes the Beck tree.

Despite the protests of William R. Smith, superintendent of the botanic gardens, the old oak planted by John J. Crittenden, of Kentucky, four terms a senator from that state and twice attorney-general of the United States, and the elm planted by James B. Beck, three terms a senator from the same state, will be felled to make room for the foundation for the proposed statue of the late President Grant, which is to be constructed by the Grant Memorial Association.

Mr. Smith has communicated with the war department officials asking them to allow the foundation to be built ten feet westward, in order that the trees might be spared. His protest seems unavailing, and the work of cutting will probably commence today.

"It makes me ill, positively ill," said Mr. Smith in discussing the matter.

"For Crittenden I have always entertained the warmest regard, on account of the magnificent efforts made by him to avert war between the states. It seems a shame that this oak to his memory cannot be spared. Crittenden's great fight for a compromise between the north and south failed. The Crittenden peace tree, as I named it, is known all over the country through re-planting. Its places have done more for peace than the Hague conference."

THE COUNT TO GET 5 MILLION

(By Leased Wire to The Times.)
Newport, R. I., Oct. 5.—Five million dollars, it was reported today, will be the marriage portion Count Sedowal will receive from Miss Gladys Vanderbilt.

The family is to have a conference and decide just how far the marriage portion shall go and what should be the terms of the settlement.

LIFE DEALT HIM A MARKED CARD.

(By Leased Wire to The Times.)
New York, Oct. 5.—"Life is all a gamble and I have been dealt mine from a stacked deck of cards. Don't try to save me."

Shouting these words to several men anxious to save him, a man jumped from the rail of the ferry boat Hudson City as it was leaving its slip at the foot of East 24th street early today and sprang overboard directly in front of the boat. The crew spent half an hour trying to rescue him, but failed.

SAYS PREACHER STOLE HIS WIFE'S AFFECTIONS

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