

# WILCOX GUILTY OF MURDER.

The Judge Sentences Him to Die On

April 25th

WILCOX SHOWS INDIFFERENCE

A Brief Review of a Famous Case—  
Argument of the Attorneys for  
State and Defense.

Elizabeth City, Special.—The jury rendered a verdict of murder in the first degree against James Wilcox, at 10:30 Saturday night. G. F. Derrickson acted as spokesman. The prisoner heard the verdict without apparent emotion.

After the verdict was received Judge Jones said: "It is sadder to me than it is to you, Mr. Wilcox. The jury found the facts and I laid down the law. I have tried to see that you had a fair trial. I do not believe that some of the people wanted you to have it. Part of the public seemed to be afraid for the jury to try your case. I am informed that the movement in the court house Friday, when several hundred people went out, was pre-arranged and for a purpose. I hope it is not so. If it were



JAMES WILCOX.

true and the guilty ones were brought before me I should send the last man, woman and child to jail for contempt. If it was wilful and with a design it was a disgrace to the fair name of the county. I hope it did not influence you gentlemen. I refrain from saying anything else. I would not wound the feelings of any one.

"The judgment of the court is that the prisoner be removed to jail and be hanged, until dead, by the neck on the 25th day of April, between 10 and 12 o'clock." This said, the court adjourned. Lawyer Aydlett wept while the judgment was being read. He will take an appeal. All is quiet; the people are satisfied.

The trial of James Wilcox, charged with the murder of Miss Nellie Cropsey, began at Elizabeth City, N. C., last Thursday a week and ended, closed on Friday. The case went to the jury on Friday afternoon.

The story of the disappearance of Miss Cropsey from her home last fall and the long search for her; the ultimate finding of her body in the Pasquotank river; the arrest of James Wilcox, charged with her murder, and the beginning of the trial, are all familiar to our readers. The grand jury of Perquimans county found a true bill against Wilcox and the court trial followed. The evidence was circumstantial. The defense introduced no witnesses. The pleading of the attorneys was on a high plane. Speaking for the prosecution Solicitor Ward said:

"This is the most important trial ever held in Pasquotank county, and no citizens have ever had more responsibility than rests on you gentlemen. I have never had such a task before. I stand here for the State, without the hope or desire of more than the usual compensation. It is not my purpose to lecture the jury nor shall I paint pictures. What I say will be in plain English and about a murdered girl and the man who murdered her. I will not try to prejudice you. I would not in the fear of God help convict an innocent man. If I go outside of the evidence I do not want you to consider what is not right, fair and just. If you do not find Wilcox guilty from the evidence do not convict him. But we shall convince you.

"What is the evidence in the case? All authorities say that in 49 cases out of 100 there is water in the lungs where a person is drowned, in the other 51 the pleural cavities would contain water. There was none in either organ in this case. There was no bloody froth. The stomach was free from water and the right side of the heart from blood. None of the symptoms of drowning were found. I would rather believe what Drs. Wood and Fearing said about this case than Taylor or Reese or anybody else who was not here. Why did Dr. W. J. Lumsden fail to testify? It is not

for me to say that he did not have the courage to face the examination from the books of medical jurisprudence. I know this, that if he had not agreed to corroborate what the other doctors said about the death of the girl he would never have been subpoenaed here as a witness. Dr. Wood said that the girl was stunned by the blow on the head and put in the water while in that condition. That contusion or bruise on the left temple was made by a blow. It was full of fluid blood. If the blood had left the heart by exuding, as Mr. Aydlett would have you believe, why did it not go from that place on the head?

In the progress of his argument he said:

"Wilcox told Tom Hayman that he would hunt the girl, but if he found her they would say that he killed her. Mark his words. They were said when everybody else thought she was in Baltimore, Wilson or somewhere else. But he knew that she was dead. Wilcox did not help search for the girl. If I had been innocent of that crime when I was charged with it I would have spent every dollar I could get toward finding the girl. I have never heard or read of a man who conducted himself under similar circumstances as Jim Wilcox has done. He has sat here throughout this trial without a sign of an emotion. He is guilty of that foul murder. His conduct shows it. You need not tell me that the conduct of that man is not the conduct of a criminal."

Mr. E. F. Aydlett, leading counsel for the defense, made a forceful argument in which he said in part:

"The Cropseys have my sympathy. I have before extended it from my own lips. I do not blame Mr. Cropsey for trying to ferret out the cause of the death of his fair daughter. The people of North Carolina are noble, just and law-abiding. They would not want anything but what is right. They want an honest verdict. Any criminal has a right to have an attorney speak for him. When I secured my license to practice law I promised to do my duty. I have been criticised for my part in connection with this case. I have done nothing by my honest duty."

"Let us look into the evidence in this case. The doctors say that there are but three certain tests of drowning and that they do not apply in cases where the body has been dead for any length of time. The doctors admit that they did not examine the windpipe and other tubes to the lungs. That is one of the three certain symptoms. The second is that of the lungs. They say that there was no water there, but they found bloody froth, which is one of the usual tests of drowning. They found no water in the stomach. The medical authorities say that these symptoms cannot be relied upon when a body has been in the water five or six weeks. The books do not lay down the absence of blood in the right side of the heart as one of the tests against drowning. It may be that if the body had been found within one or two or three days water would have been found in the pleural cavities but longer time than that would have given it a chance to get out by natural causes, the endosmosis process. The water could have left the stomach in the same way. The doctors admit it. We want the light."

"If you believe that the girl was killed you must decide who did it. Did Mr. Wilcox do it? You are asked to convict him because he has been indifferent. Chas. Reid testified that Wilcox was indifferent but that it was his nature. I agree with the statement of the gentleman who said that no better man lived in Pasquotank county than Mr. Reid. He would not be unfair. They say Wilcox is indifferent because he had not wept in the court house. If he had shed tears they would have said that he was guilty. He is accused of being indifferent because he would not take part in the search for the young lady. Put yourself in his place. One moment they charge him with being indifferent and the next they say that he is guilty because he showed emotion on two occasions when he thought the body of the girl had been found. His face turned pale and his hand trembled. Mr. Hayman said he told him that he wished to God the girl could be found."

"No, gentlemen, he has not been indifferent. Consider his position. Every move of his was watched. Everything he did was criticised. To go further. There was no motive. He had been attentive to the girl for several years. We find no trouble between them till last September. Then Miss Ollie heard her tell him that if he was going to act that way he might stay at home. All lovers have quarrels. They claim that Miss Nellie told him to 'pull,' 'to go.' She meant nothing by that. He went to the fair with Miss Nellie and Miss Carrie. He kept going to the Cropsey home. He went to the buggy as it passed. He was frequently in the kitchen. He patted Miss Ollie on the back and put smut on her face. She tried to put some on him. It was all for merriment and in play. Because Miss Nell refused an apple that the defendant had bought is no evidence that she was mad. I don't believe any member of that family thought there was anything wrong. Mr. Cropsey could not have thought so or he would have remained in the room. There was no motive for the crime. I do not say it, but could not the girl have been jealous? She might have felt that her former friend was slipping away from her. I cannot say what a sweet little girl would do under such conditions. It is possible that she committed suicide."

JUDGE JONES' CHARGE.

In making his charge to the jury among other things Judge Jones said: "Gentlemen of the jury, your problem is to find the facts in this case. You have heard the testimony of the witnesses and the argument of the attorneys. Now the case is with you. It must be tried by the evidence. If you should let any impression you may have had, public opinion or anything else, influence you, you do violence to your oaths.

"A few simple rules must govern you. You start out with the assumption that the prisoner is innocent. If you should find that he slew the deceased unintentionally, without just cause, it is murder in the second degree; if intentionally, wilfully and with deliberation and premeditation, it is murder in the first degree.

"Therefore, you must first assume that the prisoner is innocent. If the State satisfies you beyond reasonable doubt that the defendant killed the deceased without cause it is murder in the second degree; that he did it wilfully, after deliberation and premeditation, it is murder in the first degree. If the State does not satisfy you, beyond a reasonable doubt, that the defendant killed the deceased you must find that he is not guilty. The evidence must not only be conclusively consistent with the prisoner's guilt, but must be inconsistent with his innocence.

"You are sworn to try the case by the evidence and that alone. Try the case as men. Rise above public opinion."

The indictment of the grand jury was read. The judge continued: "The defendant denies the charge. You must try the case. You will find whether he is innocent or guilty of murder in the first or second degree. The State must establish guilt. I have no opinion in the case. I shall call your attention to some of the contentions of the State and the defense. The State claims that it has been proven that the deceased



MISS NELLIE CROPSEY.

was killed, that the prisoner had the motive and that the facts and his conduct show that he did it. The defense contends that the evidence will not satisfy the jury that the girl was killed; that the bruise on the head could have been made in a thousand and one ways; that all the tests against drowning are fallacies; that the defendant had no motive and that there was no opportunity."

The reading of the evidence was then begun. There was 200 typewritten pages of it and the task of reading it required the hours from 10:30 to 4:30.

## Death Reveals a Secret.

Petersburg, Special.—One of the most remarkable cases that has ever been known in this section is alleged to have come to light in Etrick, Chesterfield county, last week, which reveals a well-kept secret. A few months ago a couple, supposed to be man and wife, came from Raleigh, N. C., and located in Etrick, a village just across the river from Petersburg. For some time past the "husband," who was about 75 years of age, has been suffering from dropsy, and this morning he died. A gentleman of the village was called in to shroud a man who had died. According to his statement the deceased, instead of being one of the stronger sex, much to his surprise proved to be a woman. The couple have lived together as man and wife, it is said, for the past 35 years, and they have faithfully kept the secret as to their sex. The deceased, who is said to have gone by the name of Green, had been going among the people of Etrick, and there had never been the least suspicion that "he" was a woman in man's clothing.

## Duck Combine.

Trenton, N. J., Special.—The United States Cotton Duck Company has filed certificates decreasing its authorized capital stock from \$50,000,000 to \$30,000,000. The certificate was signed by T. L. Park, president, and David H. Carroll, secretary.

## Mr. Bryan Moves.

Lincoln, Neb., Special.—W. J. Bryan is no longer a resident of the city of Lincoln. This was Mr. Bryan's forty-second birthday, and he celebrated the event by moving to his farm four miles from the city. Until a handsome country residence which he is building shall be completed, Mr. Bryan and his family will live in the barn.

The President has sent the following nomination to the Senate: Marshall L. King, collector of customs, district of Alexandria, Va.; second lieutenant of infantry, Albert G. Goodwyn, Alabama; Postmasters, Virginia, Pulaski City, L. S. Caler; Mississippi, Brookhaven, Wm. F. Jobs.

## \$10,000,000 PROMISED

Park Appropriation to Be Larger Than Was Expected.

## ADVOCATES OF THE PARK ELATED.

Drs. McGee, Ambler, Profs. Pinchot, Holmes and Others Presented the Need of the Park Forcibly.

A special from Washington Wednesday night says: There is a feeling to-night that the hearing on the Appalachian Park bill today will be productive of results that the friends of the measure have hitherto hardly dared to hope for. In an entertaining, lucid, yet scientific manner the purposes of the proposed reserve were explained to the committee by Dr. McGee, of the Bureau of American Ethnology; Prof. Pinchot, of the forestry division of the Agricultural Department; Dr. Ambler, secretary of the Park Association; Prof. Holmes, Representative Brownlee, and Mr. Chas. Seymour, of Knoxville. After the hearing Representative Moody asserted his belief that the committee would make an appropriation of \$10,000,000 instead of \$5,000,000, saying that Chairman Wadsworth favored such an appropriation, and that the proposition for an increase also met the approval of Representatives Henry and Connell, the first named gentleman being chairman of the sub-committee to which the matter has for the time being been referred. Not only this, but it was stated after the executive session of the committee which followed the public hearing, that Representative Williams would make no further objections to the passage of the bill. The hearing developed but a single disappointment. The North State delegation was not well represented at the hearing. Representatives Moody and Klutz being the only members of the delegation from the State who were present. Even the sister State of South Carolina was better represented. It is fair to state, however, that Mr. Bellamy was out of the city. Mr. Pou was ill during the forenoon and could not leave his hotel, while Mr. Small was busy preparing a speech against the river and harbor bill. Others may also have had good excuse for the absence.

By careful and tactful questioning on the part of Messrs. Klutz and Moody many important and valuable points were brought to the attention of the committee. Once the former interrupted to ask if it were not a fact that many mountain land owners were at this time caring for forests in a way that would have the approval of the government, to which Prof. Pinchot gave an affirmative answer, calling especial attention to the Vanderbilt estate. The sub-committee is expected to report to the full committee very soon.

## Independent Telephone Company.

Charleston, S. C., Special.—The Southern Independent Telephone Association was formed here at a meeting of representatives of independent telephone companies from North and South Carolina, Georgia, Florida and Virginia. About 100 delegates were present. F. V. L. Turner, of Atlanta, was elected president; W. A. Barrien, of Tampa, vice president, and Paul Langdon, of Augusta, secretary and treasurer. Further conferences were held Thursday.

## Dangerous Wreck Sighted.

New Orleans, Special.—The Morgan Line steamer Albia, from New York, March 13, reports that March 14, latitude 36:29 north, longitude 74:56 west, the Albia saw the wreck of a schooner of about five or six hundred tons. She was floating awash, her stern was cut off just abut the main channel plates and the two lower masts were floating alongside. The vessel is a dangerous obstruction to navigation.

## Conference Divided.

Richmond, Special.—There were two camps formed of the suffrage forces in the constitutional conference Wednesday morning. The Glass-Daniel side, with 27 members, held the fort in the convention hall behind closed doors. Capt. Parks presiding, and the Thompson-Gordon element, 36 strong, met in the reception room of the institute with Dr. McIlwain in the chair. It is generally supposed that a compromise will be reached on the lines proposed by Mr. Glass looking to an extension of the temporary clause for five or more years and other modifications.

## Defense Closed.

New York, Special.—The defense in the Patrick trial closed its case Thursday afternoon. David L. Short, one of the witnesses to what is known as the '99 will, said today on cross examination that Rice showed the will to him and to Morris Meyer and then said: "This is my last will. I want you to promise not to say one word about this until after I am dead and gone."

## SOUTHERN INDUSTRIAL

New Enterprises That Are Enriching Our Favored Section.

South to Work Right.

In his speech at the last meeting of the Progressive Union of New Orleans John H. Kirby of Texas, a successful worker for the South, in addition to stirring his hearers to activity in behalf of their city and prophesying quite clearly the greatness of the South, and particularly of that portion of the South bordering upon the Gulf, dwelt upon the honor of work as a means to the fulfillment of the prophecy, he said:

"We have determined to make the South the seat of busy industry, as well as the home of the most lovable hospitality that exists in the world. We are not only going to be planters and merchants, but we are going to be makers of all the products that come from our natural resources. We are not only going to grow cotton and cane and rice and timber, but we are going to get the great advance in value which comes through transforming these products of the soil into every conceivable form devised for the use of mankind. In this way we will keep idle hands busy, and if those who wish to do something for charity, benevolence and philanthropy will put their money into factories they will do mankind more good than in any other way. There is no charity so well directed as that which furnishes a means to keep the people employed. I am one of those who believe Andrew Carnegie is a better man as an ironmaster than he is a builder of libraries."

The common sense which has made Mr. Kirby a leader in Texan prosperity crops out all through his speech, but it is nowhere more apparent than in the sentences quoted. But while it is true that practical philanthropy gives employment to two pairs of hands where but one pair was employed before, it may go a little farther in providing the means whereby the new hands employed may be trained to do work to the best advantage. The South as a whole, does not lack unskilled labor. Here and there in the shifting of population consequent upon the inception of developmental enterprises in new fields, a stringency of even unskilled help is felt. But that difficulty will be overcome in the natural order of things. Meanwhile there is an increasing demand for hands and heads trained to labor requiring more than ordinary skill or to direct the mass of every-day labor. This demand may be supplied only through the encouragement, either through legislative appropriations or through individual generosity on a practical basis for the enlargement of the scope and equipment of the Southern institutions where young men, rid of the notion that honest work of any kind may be off-color, are receiving technical education. Several States are awakening to their responsibilities in this direction, notably Mississippi, which has recently been most liberal with its public funds toward its industrial institutions, and public sentiment seems certain to lead to similar legislation by men of other States. The adoption by men of the South who have amassed independent fortunes of some such plan for the aid of Southern boys anxious to know how to work right, as that urged by the Manufacturers' Record, will not only increase the immediate facilities of existing institutions, but will go a long way toward the promotion of the much-needed public sentiment voiced by Mr. Kirby in his striking address. —Baltimore Manufacturers' Record.

## Textile Notes.

M. B. Council contemplates establishing bobbin factory at Americus, Ga.

It is reported at Augusta, Ga., that Warwick Cotton Mills will establish a bleachery in connection with that plant.

The establishment of a knitting mill is contemplated at Dorthan Ala., and W. G. Robinson is asking for information and prices on machinery from manufacturers.

A movement is on foot for the erection of another cotton factory at Spartanburg, S. C., and Mayor Arch B. Calvert is promoting the enterprise. A capital of \$500,000 is proposed.

Massachusetts Mills in Georgia of Lindale, Ga., telegraphs that it does contemplate enlarging plant mentioned last week in the future, but has not decided upon any plans as yet.

J. A. Smith of Bessemer City, N. C., has made a proposition to establish a 5000-spindle cotton factory at Taylor, Texas. The proposition is made through E. M. Aderholt of Taylor.

Will M. Smart, of Manchester, Tenn., contemplates establishing plant for the production of 200 dozen pairs of women's and children's hosiery daily. He asks makers of knitting machinery to send him estimates on cost of plant, together with other pertinent information.

Messrs. Seale & Donegan, Nacogdoches, Texas, propose the establishment of a mill for knitting from 500 to 1,000 dozen pairs of hosiery daily. They are desirous of receiving correspondence giving full details as to the industry, estimated cost of machinery for such a plant, cost of power plant and best power to use, etc.

A knitting mill will be established at Waco, Texas, through the efforts of the Business Men's Club. Its product daily is to be 300 dozen knit underwear, and 100 people are to be employed.

Franklinville (N. C.) Manufacturing Co. has let contract to King & Hackett of Greenville, S. C., for improvements at its plant of 3472 spindles and fifty bag looms. There will be a 370-foot dam constructed across the river, and width of canal will be increased.