

TAR HEEL DESIGNED CONFEDERATE FLAG

Committee of Veterans Settle Much Argued Question

MAJOR ORREN R. SMITH

TAR HEEL DESIGNED... Leaburg Man Given Full Credit for Designing "The Stars and Bars" by Committee Appointed to Investigate Matter.

Richmond, Va., June 2.—The credit for having designed the first flag of the Confederate States—the "Stars and Bars"—is awarded to the late Major Orren Randolph Smith, of Louisville, North Carolina, by the United Confederate Veterans' committee, appointed to investigate the matter. The report of the committee was submitted to the reunion here today by General C. Irvine Walker, of Summerville, S. C., chairman. Other members of the committee who signed the report, are Major General Thomas Green, Pine Bluff, Ark., and Major General John P. Hickman, Nashville, Tenn.

The subject has been one of controversy for many years, and the investigation and conclusions of the committee, which was assisted in gathering evidence by committees of the Daughters of the Confederacy, Sons of Confederate Veterans and the Confederate Southern Memorial Association, are considered of much historic interest. The veterans' report states that a most exhaustive examination of the whole matter was made. The findings are given in part as follows:

William Porcher Miles, for the Committee on Flag and Seal of the Confederacy, made report to the Provisional Congress of the Confederate States, at Montgomery, Ala., March 4, 1861, and with this report was submitted the selected design for the flag. Mr. Miles reported that something was conceded by the committee to what seemed a strong desire to retain at least a suggestion of the old Stars and Stripes. The design submitted by the committee and subsequently approved by the Congress, was practically the same as the Stars and Stripes, except that the bars, red, white and red, were substituted for the thirteen stripes.

The Miles report brought out that the Southern people earnestly loved the old Union; that they accepted thereof with deep regret, when forced to do so to maintain their rights as a free people, and that this attachment was so strong that the Congressional committee was obliged to recommend a flag closely resembling "Old Glory."

There were two claimants for the honor of having designed the Stars and Bars, the veterans' committee states, and evidence in support of their claims was presented by and on behalf of each. The claimants were Major Orren Randolph Smith (now deceased), of Louisville, N. C., whose claim was presented by his daughter, Miss Jessica R. Smith, and Nicola Marschall, an artist, who in 1861 lived in Marion, Ala., and is now a resident of Louisville, Ky. Mr. Marschall's claim was filed by his wife and supplemented by Mrs. Chappell Cory, of Birmingham, Ala. The testimony submitted was considered from three viewpoints: First, that of contemporaneous, or local opinion of the facts; second, that of the direct evidence of persons, other than the claimants, as to the designing and submission of the design to the Flag committee of the Confederate Congress, and, third, that of statements made personally by the claimants.

Reviewing the testimony, the report continues, the committee finds: "That it was the belief in 1861, of persons residing in the immediate vicinity of the residences of the claimants that each of said claimants had submitted the chosen design. That the one who made Major Smith's model and four other persons who saw her making it testified that the flag was Major Smith's design, that it was sent to the Confederate authorities at Montgomery and that it was the same as the Stars and Bars flag adopted by the Confederate Congress. Claimants of Mr. Marschall stated they did not deny that Major Smith sent a model to Montgomery. There is no evidence whatever submitted to show that any person testifying except Mr. Marschall himself, ever saw his model, or of their own knowledge knew that such was made, or that it was handed to the Confederate Congressional committee.

Your committee is not, from the evidence before it, convinced that Mr. Marschall ever submitted a design for the flag. The evidence does show that Major Smith did submit a design. Your committee is convinced that Major Smith did submit a design. As the design which the Congressional committee submitted with its report, which was adopted, the evidence most clearly shows to be the same as Major Smith's design, it is reasonable to conclude that Major Smith submitted the design of the Stars and Bars flag of the Confederate States.

Your committee would, therefore, report, after a most careful consideration and thorough investigation, that the honor of having designed the first flag of the Confederate States, known as the "Stars and Bars," is due, and should be awarded by the United Confederate Veterans to the late Major Orren Randolph Smith, of Louisville, N. C."

The committee transmits with the report a transcription of all the evidence and affidavits submitted in the investigation.

Washington, D. C., June 2.—The Controller of the Currency today approved the application to organize the Farmers and Merchants' National Bank of Ayer with a capital stock of \$35,000.

AMMEN'S TOILET POWDER is a pure, medicinal compound, built after a thorough investigation, to make an ideal preparation that would displace the useless, highly perfumed powders made from soap stone, which make you chabby. Get a box at your drug store for 25 cents, and try it.

First Dance of Season at Lumina Saturday night. Ten-piece orchestra. (Advertisement.)

TRIAL OF MRS. HAND BEGINS THIS MORNING

James Carter, Negro, Gets 30 Years in Penitentiary

Submits to Second Degree Burglary. J. C. Walker Taken to Raleigh to Begin 30-Year Term—Special Verdict of 50 Ordered.

(Special Star Correspondence.) Burgaw, N. C., June 2.—The trial of Mrs. Gussie Hand, charged with killing her brother, George P. Jordan, at the home of their father, five miles from here, about a year ago, has been set for tomorrow and a special venire of 50 ordered summoned, from which to select the jury. This case will probably be taken up first tomorrow morning. As there are very few witnesses to be heard, it is not expected that the taking of testimony will consume much time.

James C. Walker was taken to Raleigh today by Sheriff Robinson, of Brunswick, and Deputy Sheriff L. Q. Myers, of Pender, to begin serving his 30-year term in the penitentiary for the killing of Sheriff Jackson Standland, of Brunswick, in 1908, having submitted to second degree murder in court here yesterday, and Judge Rountree having imposed a sentence of 30 years. In court today, James Carter, one of the two negroes charged with breaking into the residence of Mr. S. A. O'Neill at night while the family were asleep, entered a plea of guilty of burglary in the second degree and was sentenced to serve 30 years in the penitentiary. By this course, he probably saved his life, as there is little doubt that he would have been convicted of first degree burglary if the case had gone to the jury. The other negro had gone in the same offense had his case continued to give time for an investigation of his mental condition, as it is believed he is of unsound mind. There have been several convictions of retelling and of violation of the stock law.

Five Inches of Rain In Twenty Four Hours

NOTHING LIKE IT AT FAYETTEVILLE IN 15 YEARS SAYS WEATHER MAN—RIVER 40 FEET AND RISING.

(Special Star Telegram.) Fayetteville, N. C., June 2.—The continuous rains, and especially those of the last 24 hours, have proved disastrous to this section, Frank Glover, the government weather man at this station, says that within that time five inches of water has fallen, which is more within the same length of time than he has known during his 15 years of service.

The crops are badly in the grass, and Oliver Evans, a prominent farmer, says he fears that at least 1,000 acres of wheat has been lost on the east side of the river. Two dams here, that of Lakeview cotton mills, and that of the Culbreth grain mill, were swept away. At last reports Cape Fear river was up 40 feet and rising a foot an hour. The creeks tributary thereto are backing up, which means a freshet.

TRIAL OF ELECTION FRAUD CASES IN RALEIGH BEGINS

Testimony Heard as to Case of Election Judge DeBoy.

(Special Star Telegram.) Raleigh, N. C., June 2.—The trial of Nicholas DeBoy of election in the recent city election, on the charge of putting a ballot in the box when no one was voting it began this afternoon, N. A. Dunn, C. H. Anderson and others testifying that they saw DeBoy do this. Testimony for the defense, substantiated by DeBoy's associate judges, was that an old soldier, Mr. Willis, from the Home, came in to vote. There was difficulty in finding his name on the poll book and DeBoy, having prepared the ballot at his request, held it while the name was being looked up. When found, the old man had gone unobserved and they put in his ballot anyway. They heard the talk charging fraud, but attached no importance to it at the time. A verdict of acquittal is generally conceded. Ballots in the box tally with the poll book of voters.

A true bill has also come from the grand jury against Deputy United States Marshal Sturdevant, charging him with fraudulent voting in that he voted without being qualified as a resident of Raleigh, had been here officially several months but his family had not been moved here. His case comes up tomorrow. His plea is that he was told he did and believed he had a right to vote.

Lumina Saturday Night. Opening of season. Everybody going. (Advertisement.)

Baptized 21 Times To Cure An Ailment

LITTLE GIRL HEEDS INJUNCTION OF THE SPIRIT OF HER DEAD FATHER WHO SHE CLAIMS APPEARED TO HER

(Special Star Correspondence.)

Kinston, N. C., June 2.—Ruth Marshburn, a very pretty child between 11 and 12 years of age, came here yesterday from her home about five miles on the north side of Snow Hill on a most remarkable mission. The little girl on Tuesday night a week ago had a "vision," she declared. She was kept awake all night, she asserted, by the presence of the spirit of her father, who died in a hospital some weeks ago.

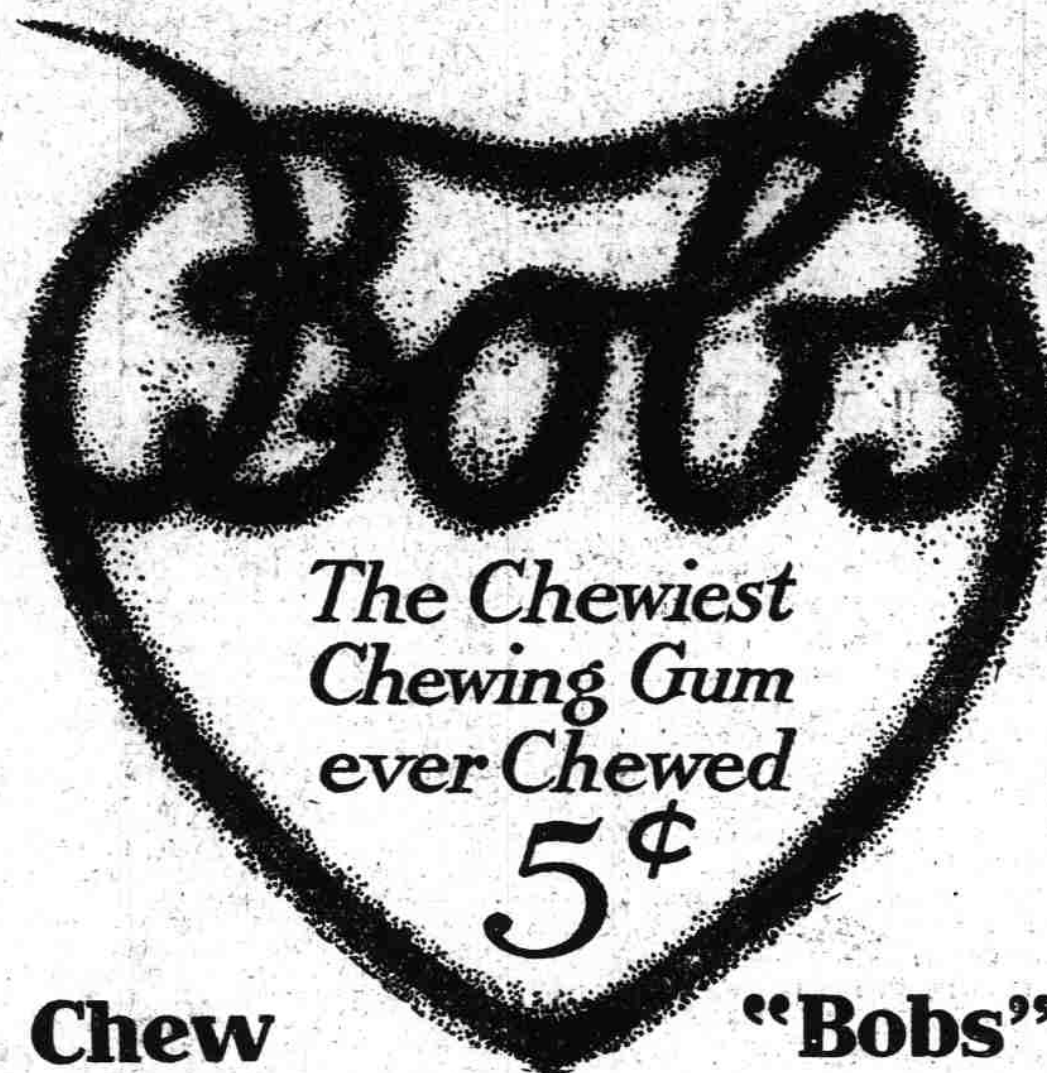
The spirit admonished her to be baptized twenty-one times in order to be cured of a physical ailment which had afflicted her for years. She plainly saw the departed parent in heaven, she said, and was with him for hours. By the manifold baptism, she was informed, she would be relieved of her affliction. She, a holiness minister, in the presence of a small party, immersed Ruth Marshburn one and one score times in the water of Neuse river at the foot of Parrott's bridge.

The little girl was the guest of relatives here for the day, and in the afternoon surprised a party by picking up a Bible, opening it carelessly, and reading whole chapters with the dexterity of an educated person, with flawless pronunciation and perfect punctuation. Ruth Marshburn returned home confident that on a day in next October when she will be a round dozen years old she will become a physically normal as well as beautiful little girl. If faith can heal she will probably have her desire.

IN HONOR OF MISS QUINN

Mrs. Grady Gives Delightful Reception to Party of Young People.

Sarcasta, N. C., June 2.—In honor of Miss Quin, who has been teaching near Wilmington and who has just returned home, Mrs. Jerry Grady gave a lawn party from 4 to 6 o'clock Saturday afternoon last. Music was furnished by Mrs. Arthur Whitfield and Miss Essa Williams. The guests were dressed in colors of the rainbow. During the evening various kinds of outdoor games were indulged in with great interest. Choice pieces of literature were recited during the afternoon. Many conundrums were propounded and much enthusiasm put in the answers. Under the beautiful trees many kinds of delicious refreshments were served. The guests were Misses Floy Quinn, Catherine Thomas, Estelle Grady, Bessie Williams, Essa Williams, Messrs. Kent Holland, Matt Quinn, James Whitfield, Roland Thomas, Henry Grady and Blannis Wallace.



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"It certainly has no equal for la grippe, bad colds, liver and stomach troubles. I firmly believe Black-Draught saved my little girl's life. When she had the measles, they went in on her, but one good dose of Thedford's Black-Draught made them break out, and she has had no more trouble. I shall never be without

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