AFTERMATH OF BIGGERS CASE. e Reflections Ament the Verdict in e Biggers Trial—The New York we Relating to Insanity as a De-nie For Ortine—Where All the rying Phases of Human Nature a Best Be Studied—Expert Medist Be Studied—Expert Medi-timony and the Hypothetical a—The Serious Aspect of the Biggers Verdict.

More so than any other one thing he outcome of the Biggers case has directed attention to the need of revising and amending the laws of the particularly as regards homicide. That the good sense of the community was shocked goes without saying not so much for the sake of the individual but the State, the community, the public weal, the majesty of the law, the future-and nothing is now being discussed but the remedy well-known lawyer, after hearing the suggestion offered by Solicitor Heriot Clarkson that the Legislature pass an act empowering the judges trying murder cases wherein the accused escaped by proving insanity to commit such person or persons to the asylum for a period from 2 to 30 years, declared that such an act would be unconstitutional. He recommendinstead the New York law covering such cases. In the Empire State the law holds a man insane once he has established it in court until he himself proves that he is sane again. and empowers the presiding judge at the trial wherein the insanity plea was set up and established to send him to the asylum for the criminal insane until such time that he proves that he is same again. This puts the burden of proof upon the man that committed the crime and escaped by reason of mental irresponsibility, and has worked splendidly. In Carolina the law is such that if a man commits murder, and then escapes by reason of the plea of astute counsel who claimed that he was mentally unbalanced when the deed was committed, he goes free and nothing can be done about it. Admitting that he suffered a lapse there is nothing to justify the belief that he will not repeat the performance with dire consequences and just here the law should interpose. The pubweal is supreme and should be considered first. The New York construction of insanity is certainly plausible and indeed proper.

contested murder trial offers the best opportunity for the study of the many complex phases of human character. This was particularly true in the Biggers case last week. The issues were clearly drawn, able counsel contested every step and every point, more 100 witnesses, including a number of medical experts, testified, great throngs, attended the nearings daily, so much so that the trial was one of the most interesting and important ever held in the county. Counsel for the defense availed itself of every advantage the law afforded and managed its case with consummate skill. No other outcome could hardly have resulted but the one given, of the primordial instinct implanted in every breast averse to punishing a man who, under the stress of great provocation, sufficient perhaps to ause temporary irresponsibility, kills his enemy who has maltreated him. and confident that they had nothing to permit of the jury seizing upon it swear to the peculiar mental condiion of the accused just prior to and immediately following the homicide This is just what happened in this ounsel for the defense having little difficulty by reason of other circumstances and the generally consavory reputation of the deceased, in successfully establishing this basis of

Of all times and places, a hotly

Much Interest in the case centred about the testimony of the so-called experts who were called upon to give their opinions from the array of facts submitted as to the mental condition of the accused when the act was com-None of the experts, when testifying as experts, witnessed to the facts attending the homicide; they all gave opinions. In testifying to a fact witness swears to something he has seen or has heard, or the existence of which can be proved by the senses. An expert witness offers an opinion upon a given state of facts. He is never expected to draw inferences or conclusions of fact from the evidence nor should he be allowed to listen to the evidence of witnesses who testify as to facts and to draw his inference from so much of it as he can recall because he may not be able to recall all the facts testified to or his construction of them may differ widely from the construction which should be

Hence the hypothetical question, of which so many confused ideas ob-tained while the hearing was in progress, some characterizing it a senseless method of obtaining the opinion of an expert.

The hypothetical question is nothing more than a recital of a certain array of facts, testified to by witnesses and assumed to be true, upon which the expert is asked to give an opinion. To frame a hypothetical ques-tion is a very difficult and very complex task and should be achieved with due deliberation and due time should be accorded the witness to prepare an answer. If the questioner exaggerates the facts or incorrectly states them, the opinion of the witness is necessarily erroneous and the court instructs the jury to disregard the opinion on the ground that it valueless unless the question fairly states and is fairly sustained by all he evidence in the case. Hypothetquestion are eminently able, in fact where experts are called in, they provide the only method ereby an unprejudiced opinion can

The most serious phase of the Bigs verdict is the effect it will have the administration of law in the "If a man like Tom, Dick Harry with a few thousand dolrs can kill his enemy and escape the penalty by the insanity plea, then I might as well do the same" some might as well do the same" some may say. All will have a diminishing regard for the law for the reason that it allowed one of its subjects to be killed in open daylight and in the heart of the city by another and did nothing to punsh the offender, asserting by the verdict returned that he did not merit punishment. The structure is dependent upon the "Fum mother. the vital aspect of the present

Admitted He Assaulted Her. m Crawford, colored, had not a plea of guilty to the charge ding his wife, he could not a made to pay the costs, for said he merely "made like" soins to hit her, when she he and her husband was ore and not able to provide for her, hence the difficulty. TO ENTERTAIN VETERANS.

ees Appointed to Take n of Confed erans of the State in This City

August 25 and 26. By way of preparation for the entertainment of the 2.000 Confederate veterans expected here August 25 and 26, the following committees have been appointed by the central committee appointed by the Mecklenburg Camp onfederate Veterans. This committee is composed of Mesers. J. H. Van Ness, chairman; Z. T. Smith and J. F.

The members of the following committees were picked from the Confederate Veterans, Sons of Veterans and the Greater Charlotte Club:

he chairmen of all the other committee-Col. A. L. Smith, chairman; B. Bryant, W. S. Orr, W. S. Shelor, Osmond L. Barringer, J. H. Van Ness,

Finance committee-C. B. Bryant, hairman; Heriot Clarkson, A. M. Mcouald, C. S. Stone, J. O. Walker, J. W. Haas. John H. Van Ness. Dr. Bland, W. H. C. Barkley, Col. R. Mason, Maj. A. G. Brentzer, Capt. E. Cochrane, H. D. Duckworth, J. Freeland, George W. Bryan, P. P. Zimmerman, W. R. Burwell, F. Alexander, S. H. Hilton, J. P. Sossaman, Alfred W. Brown.

Quartermaster's departmentorr. chairman; Joe Gartbaldi, T. Rose, Henry Severs, J. M. Sims, Shakespeare Harris, J. W. Lewis. Decorating committee-W. S. Sheor, chairman; Capt. W. B. Taylor, P. S. McLaughlin.

Parade committee-Osmond Barringer, chairman; Capt. S. B. Alexander, W. M. Smith, T. T. Smith. Music committee-J. H. Van Ness, Ir., chairman; Dr. George W. Graham. O. M. Sadler.

Programme committee-To be comcosed of the central committee with I. H. Van Ness, Sr., chairman, and A. L. smith is chairman.

Reception committee-J. P. Sossa-Capt. R. E. Cochrane, Judge A. Bur- nated in the clash of the well, W. R. Burwell, P. P. Zimmerman, Osborne, Capt. T. T Smith, O M. Sader, W. M. Smith, H. D. Duckworth, Henry Severs, W. B. Taylor, P. S. McLaughlin S. H. Hilton, J. G. Freeland, Dr. F. O. Hawley, Dr. George W. Graham, T. B. Sykes, Capt. S. B. Alexander, Capt. J. M. Davis, C. H. Wolfe, J. W. Lewis, Capt. J. H. Mc-Clintock, George W. Bryan, Sims, Shakespeare Harris, J. B. McGinnis, J. O. Alexander, W. W. Rankin, G. Graham, J. B. Williamson, R.

B. Alexander, R. B. Hunter. To include also every member of the Mecklenburg Camp Confederate

Mr. J. H. Van Ness, Sr., chairman of views of Greensboro as well as of the central committee, that he has the Institute and grounds. Write for secured from the railroads a one-cent a copy which will be mailed free rate for the veterans who desire to ome to Charlotte August 25-26 to attend the reunion. He also advises that there will be in Charlotte at that time at least two thousand veterans.

TO AL/TA PASS AND SPRUCE PINE.

Delightful Picnic Excursion to Be Operated Over New C., C. & O. Road Wednesday of Next Week-Great Day Planned.

Much interest is being shown in the more to do to clear their client than picnic mountain excursion to Alta to establish a basis plausible enough Pass and Spruce Pine, over the new Carolina, Clinchfield & Ohio road. as an excuse for acquittal, secured Never before has a one day's outing witnesses and medical experts to been arranged whereby groups of families can enjoy a mountain picnic dinner on the banks of a genuine mountain stream, the Toe river. The ommittee in charge of seats and tickets have them so arranged that is is possible for families and groups of families to get seats together, an exceedingly desirable and pleasant feature and absolutely new and original plan. Groups and parties of friends are already taking advantage of these pleasant arrangements-not only in Charlotte, but several of the nearby towns-and are securing reservations These reservations can be secured at Woodall & Sheppard's up to July 5th. at 8 p. m.

The train will be operated on a fast schedule, not stopping after passing Lincolnton excepting Sherby, when quite a party from South Carolina will

be taken on. This train will leave Charlotte July 7, 7:30 a. m., the Seaboard Air Line, arriving at Aita Pass 12:15, and Spruce Pine 12:30. Returning will leave Spruce Pine at 6 p. m. and arrive at Chalotte 11 p. m.

MARRIED BUT A WEEK.

Daughter of Abram North, Janitor of Trinity Methodist Church, and a Bride of a Week, Commits Suicide in Denver, Col.

Nothing has occurred in colored circles in Charlotte in a long time which aroused so much speculation and comment as the telegram received yesterday from Denver, Col., conby suicide of the wife of Rev. Thomas Hazel, formerly Luvenia North, daughter of Abram North, janitor of Trinity Methodist church, and the Law building, and one of the best known and most highly respected colored citizens of the city. No par-ticulars were given in the message and hence speculation is rife, as the girl had been married but a week, her husband being a highly reputable popular colored Presbyterian minister who is said to have a large church in Denver. The marriage last Monday week was an event in colored circles, the couple leaving immediately for their home in Colorado. They reached there Thursday and the news of the suicide was received yesterday. There is no clue to the mystery and until a letter is received no one will know how it all happened. The body will be brought to Charlotte for in-

An Inherited Handicap. After the recorder had sentenced Preston Campbell, colored, to four onths on the roads for non-support, he reconsidered and suspended judgment, provided the defendant would provide for his wife in the future. This seemed a more practical way of getting the desired result, since the county does not pay the convicts high nough salaries to make alimony pos-

"Dey is both to blame," said the mother of the wife. "Dey's so hightempered!" From whom does she get her temper?" was asked.

Fum me, I guess," Colored Teachers' Institute To-Day. institute for the colored pubschool teachers of Mecklenburg will begin this murning held at Biddle Universit begin this morning. It will be at the court house as a The lectures proper through Wednesday

MURDERS, THEN SUICIDES

JEALOUS NEGRO SLAYS WOMAN.

Pink Hunter, a Colored Man Living on the Farm of Mr. W. M. Long, Five Miles Southwest of Charlotte, Shoots and Kills Etts Faulkner With a Shotgun and Then Turns the Weapon on Himself With Fatal Effect—Tops of Both Heads Blown Off—Man Leaves Note Stating That His Paramour Had Been Enjoying the Company of Other Men, to Which He Objected.

Agitated by an overmastering storm of jealousy, Pink Hunter, a negro married man, blew off the top of the head of Etta Faulkner, colored, at her home five miles southwest of Executive committee composed of Charlotte yesterday morning about 9 o'clock and followed this action by similarly killing himself. The two lived on the place of Mr. W. M. Long. The clue to the reason for the deeds of violence is turnished by a scrawling note found reside the body of the In it he declared his wrath at the intimate relation sustained by the woman (on whose affections he had no legal claim), with other men of the community and his determination to blot out her life and his. Hunter and his family lived just across the road from the home of the woman named Faulkner.

The note was placed between the eaves of a book so that it could not

easily escape attention. The country-side, instantly excited by the thunderous detonations of the firearms, sent large delegations of its inhabitants to the scene. The county coroner was telephoned that arrangements might be begun at once for the holding of the usual investigation. Both the man and the woman were killed instantly and the circumstances ing a license to teach. left no room whatever for doubt as to how the affair happened.

Premeditation seems clear and in taking his own life the murderer merely anticipated the action of the law, which would have followed, unthe executive committe of which Col. less he could establish a distinctly abnormal mental condition. could hardly have done this, since man, chairman; Maj. A. G. Brenizer, the physiological probably predomisenses which went to make up his A. J. Bell, M. L. Davis, Rev. E. A. state of consciousness immediately preceding the deed. The fact that the killing was wholly without provocation, no matter from what standpoint viewed, and the additional facts that he armed himself with the shotgun and sought out the object of his wrath and left a note to explain his reasons for the deed would combine to make out a strong case of murder in the first degree.

Hunter used a single-barrel breech loading gun. The homicide and suicide occurred about 9 o'clock. When shots rushed into the room the two

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NEW ORLEANS, U.S.A.

odies were lying on the floor in To Give Children and Parents an Outpools of blood. Both the man and woman had been living in that secion for some time without serious

idered an ordinarily peaceable citi-Coroner Gresham and his jury held in investigation, coming to the conlusion that both were, dead, woman coming to her death as the re-sult of a gunshot wound inflicted by the man and that the latter had killd himself. The man's body was lying on the floor with the shotgun between his legs. The load entered his head between his eyes and the entire top of the head was detached The bodies will be buried to-day.

trouble before, the former being con-

-The institute for colored teachy ers opened yesterday at Biddle Unfversity with about twenty in attendance. The teachers are notified that, unless providentially detained, at-tendance is a prerequisite to obtain-

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Capt. and Mrs. W. F. Brown, in charge of the local post of the Salvation Army, asking for contributions to help give 250 poor children of the city and their parents an outing in one of the parks July 27. A car ride will be among the pleasures provided. All checks should be made payable to the

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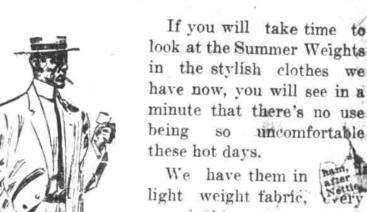
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