

LAW SHOULD BE REVISED

Aftermath of Biggers Case. Social Reflections About the Verdict in the Biggers Trial—The New York Law Relating to Insanity as a Defense For Crime—Where an Attorney Can Best Be Studied—Expert Medical Testimony and the Hypothetical Question—The Serious Aspect of the Biggers Verdict.

More than any other one thing the outcome of the Biggers case has directed attention to the need of revising and amending the laws of the State 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 for the sake of the community, the public weal, the majesty of the law, the future—and nothing is now being discussed but the remedy.

Of all times and places a hotly 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 than 100 witnesses, including a number of medical experts, testified, great throngs attended the hearings daily, so much so that the trial was considered first. The New York construction of insanity is certainly plausible and indeed proper.

Much interest in the case centered 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 committed. None of the experts, when testifying as experts, witnessed to the facts attending the homicide; they all gave opinions. In testifying to a fact a 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 inferences 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 put to them.

Hence the hypothetical question, of which so many confused ideas obtained 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 an 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 question 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 is valueless unless the question fairly states and is fairly sustained by all the evidence in the case. Hypothetical questions are eminently desirable, in fact where experts are called in, they provide the only method whereby an unprejudiced opinion can be had.

TO ENTERTAIN VETERANS.

Committees Appointed to Take in Charge Reception of Confederate Veterans of the State in This City August 25 and 26.

Executive committee composed of the chairman of all the other committees—Col. A. L. Smith, chairman; C. B. Bryant, W. S. Orr, W. S. Shelor, Osmond L. Barringer, J. H. Van Ness, J. P. Sossaman.

Finance committee—C. B. Bryant, chairman; Heriot Clarkson, A. M. McDonald, C. S. Stone, J. O. Walker, J. W. Haas, John H. Van Ness, Dr. C. W. Hand, W. H. C. Barkley, Col. R. E. Massey, Maj. G. Brenizer, Capt. R. E. Cochrane, H. D. Duckworth, J. G. Freeland, George W. Bryan, P. D. Zimmerman, W. R. Burwell, P. D. Alexander, S. H. Hilton, J. P. Sossaman, Alfred W. Brown.

Reception committee—J. P. Sossaman, chairman; Maj. A. G. Brenizer, Capt. R. E. Cochrane, Judge A. Burwell, W. R. Burwell, P. D. Zimmerman, A. J. Bell, M. L. Davis, Rev. E. A. Osborne, Capt. T. T. Smith, O. M. Saller, W. M. Smith, H. D. Duckworth, Henry Stevens, W. B. Taylor, 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. McClintock, Capt. W. B. Bryan, J. M. Sims, Shakespear Harris, J. B. McGinnis, J. O. Alexander, W. W. Rankin, R. G. Graham, J. B. Williamson, R. B. Alexander, R. B. Hunter.

Decorating committee—W. S. Shelor, chairman; Capt. W. B. Taylor, P. S. McLaughlin.

Parade committee—Osmond L. Barringer, chairman; Capt. S. B. Alexander, W. M. Smith, T. T. Smith.

Music committee—J. H. Van Ness, Jr., chairman; Dr. George W. Graham, O. M. Saller.

Programme committee—To be composed of the central committee with J. H. Van Ness, Sr., chairman, and the executive committee of which Col. A. L. Smith is chairman.

Reception committee—J. P. Sossaman, chairman; Maj. A. G. Brenizer, Capt. R. E. Cochrane, Judge A. Burwell, W. R. Burwell, P. D. Zimmerman, A. J. Bell, M. L. Davis, Rev. E. A. Osborne, Capt. T. T. Smith, O. M. Saller, W. M. Smith, H. D. Duckworth, Henry Stevens, W. B. Taylor, 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. McClintock, Capt. W. B. Bryan, J. M. Sims, Shakespear Harris, J. B. McGinnis, J. O. Alexander, W. W. Rankin, R. G. Graham, J. B. Williamson, R. B. Alexander, R. B. Hunter.

Gen. H. A. London has written to Mr. J. H. Van Ness, Sr., chairman of the central committee, that he has secured from the railroads a one-cent rate for the veterans who desire to come 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.

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

Much interest is being shown in the picnic mountain excursion to Alta Pass and Spruce Pine on the new Carolina, Clinchfield & Ohio road. Never before has a one day's outing been arranged whereby groups of families can enjoy a mountain picnic dinner on the banks of a genuine mountain stream, the Toe river. The committee in charge of seats and tickets have them so arranged that it 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 Woodland & 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 Shelby, 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 Alta Pass 12:15, and Spruce Pine 12:50. Returning will leave Spruce Pine at 6 p. m. and arrive at Charlotte 11 p. m.

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 Etta 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 Passion 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 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 furnished by a scrawling note found inside the body of the man. 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.

The note was placed between the leaves of a book so that it could not be 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 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, unless he could establish a distinctly abnormal mental condition. He could hardly have done this, since the physiological probably predominated in the clash of the varying senses which went to make up his 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 a negro boy nearby who heard the shots rushed into the room the two

The Keesley Institute, Greensboro, N. C., issues a beautiful booklet of views of Greensboro as well as of the Institute and grounds. Write for a copy which will be mailed free.

ATTENTIVE EXPERTS. Hawley's Pharmacy. TRYON AND FIFTH STS. 'Phones 13 and 260.

LET US SHOW YOU. Our new Line of Black Bead Lorgnette Chains and Necklaces; also pretty Line of Gold Beads; chains with Lockets and Lavalliers, very popular for summer wear.

GARIBALDI, BRUNS & DIXON. Leading Jewelers.

We Sell Eastman Kodaks and Supplies.

CHAS. M. STIEFF. Manufacturer of the Stieff and Shaw, the Piano with the sweet tone.

Southern Wareroom. 5 West Trade St., CHARLOTTE, N. C. C. H. WILMOTH, Manager. (Mention this paper).

JOHN S. BLAKE DRUG CO. The Drug Shop on the Square. If the Place.

Blake's Liniment. Rheumatism Sprains and Bruises. Large Bottles 25c.

Stone & Barringer Co. Rent Kodaks and take Orders for Developing and Printing.

ALSO, Tennis togs? Of course we carry them. Outing Shirts \$1.50. Outing Trousers \$6.00 to \$8.00. Caps \$1.00 to \$2.00. Sox 25c to \$2.00. Light weight underwear 50c to \$1.50. This is the place to get what's wanted in this line.

LUZIANNE COFFEE. Something Good from Louisiana. FRESH, STRONG, FRAGRANT, SATISFYING. Two Million Cups Drunk Daily. Sold everywhere. 25 cts. 1 lb. THE REILY-TAYLOR CO. NEW ORLEANS, U.S.A.

To Give Children and Parents an Outing. Letters were sent out yesterday by 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 Salvation Army.

We Clean White Vests. White and light colored or fancy vests—should be sent to us to be dry cleaned, when soiled. Our process thoroughly cleans and freshens up the vest, without altering its perfect shape by shrinking or pulling, and without danger of fading delicate colors. We press your vests perfectly. The most skilled tailor could not better the work, when we box-it, to return to you. Our charge is entirely reasonable—and the service prompt. Try us.

Charlotte Steam Laundry. Launderers, Dyers, Cleaners. 219 South Tryon St.

Lightweight. It's no small trick to make lightweight garments keep their "balance." You don't care how we do it—that's part of our business. The fact that we do it, is what carries "weight" with knowing buyers. All kinds of strain and wear can't affect our featherweight construction. That shows the quality is there. "Light" on this. TWO-PIECE SERGES \$21.00.

WILLIAMS & CO. TAILORS. G. B. CABANISS, Mgr.

Ed. Mellon Comp'y. Remember Mellon's Clothes Fit.

To the Man of the House. To do your work well you must have the best equipment for your work—up-to-date offices, the best tools, or what is needed in your line of work. The McDougald Kitchen Cabinet is to the Housewife what the Roll top desk is to the Business Man.

Is your wife provided with such a cabinet? Why don't you see that she has one at once? They will more than save their cost in one year. Our Club Plan makes it easy to secure a McDougald Kitchen Cabinet. Investigate This at once.

THE TATE-BROWN COMPY. Furnishers, Hatters, Glothers.

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MANUFACTURERS TAKE NOTICE. We keep the best stock of Carriage and Mac Bolts that is kept south of Richmond. We have the best stock of Cut Washers, Square and Hex Nuts, Gandy Belting, Belt Lacing, Rabbit Solder and Files in the City—a very large stock of Wrenches of all kinds—you have to use goods, why not order them from us. Weddington Hardware Comp.

Black's Transfer Company. We are well equipped to handle the Baggage Business. Office in Southern Passenger Depot open day and night. 'Phones 105 or 1919. We also give prompt attention to all kinds of Hauling. E. Nye Hutchison & Son INSURANCE. FIRE, LIFE, ACCIDENT. OFFICE No. 8 Hunt Building. Bell 'Phone 4322.

Just Right. THESE NEW TWO-PIECE SUITS WE ARE SHOWING. If you will take time to look at the Summer Weights in the stylish clothes we have now, you will see in a minute that there's no use being so uncomfortable these hot days. We have them in light weight fabric, conceivable pattern, and at all prices. WE HAVE THEM FROM \$10.00 UP. They are stylish, they fit well, and they wear well. Take time for a try-on and you'll see. We are showing, too, the sweetest line of Odd Trousers in light weights and all patterns. ED. MELLON COMP'Y. Remember Mellon's Clothes Fit.

To the Man of the House. To do your work well you must have the best equipment for your work—up-to-date offices, the best tools, or what is needed in your line of work. The McDougald Kitchen Cabinet is to the Housewife what the Roll top desk is to the Business Man. Is your wife provided with such a cabinet? Why don't you see that she has one at once? They will more than save their cost in one year. Our Club Plan makes it easy to secure a McDougald Kitchen Cabinet. Investigate This at once. THE TATE-BROWN COMPY. Furnishers, Hatters, Glothers. PARKER-GARDNER CO.