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VOLUME LXXXIV NO. 124

RALEIGH, N. C., TUESDAY MORNING, OCTOBER 8, 1907.

PRICE 5 CENTS.

The News and Observer

"NOT GUILTY" WAS ROYLAND VERDICT

Applause Termed an Outrage by Judge Long

LEFT CITY AT ONCE

Rowlands Were Not Welcome Visitors to Boarding House and Dr. Rowland Says That He Will Continue to Practice Here After a Visit to Vance County.

"Not Guilty" was the verdict of the jury as to Dr. S. Rowland and his wife, Lillie M. Rowland, and with these words the law released its hold on the two for whose lives it had asked as the murderers of Engineer Charles R. Strange, while Mrs. Lillie M. Rowland was yet his wife.

The verdict was announced by the jury shortly after half past nine o'clock on Sunday morning, there being nearly a hundred people in the court room. The case had been given them at midnight Saturday night, after an entire week spent in the trial, and before retiring the verdict was agreed upon.

The Rowlands had stood quietly waiting for the words that meant life or death, and each was pale. Mrs. Rowland, in which her face drawn and worried looking. As "Not Guilty" fell upon their ears the blood surged into their faces, their eyes brightened, and they fell on their knees, their hands clasped in prayer, their cheeks and in this weeping joined part of the crowd, after a demonstration that was sharply censured by Judge Long.

The Rowlands left the court room at once and soon went across the street to Dr. Rowland's office. In the party, besides the two just released, were some of their closest friends, Dr. David H. Gill, of Vance county, uncle of Dr. Rowland who has been active in the case since Dr. Rowland's arrest, another uncle, Mr. J. A. Gill, of Vance, and Dr. Rowland's brother-in-law, Mr. H. A. Rogers, of Franklin, and Mrs. Rowland's sister, Mrs. Lena Le Van, of Rowan county.

Dr. Rowland to Practice Here. "I am going to continue the practice of my profession in Raleigh," said Dr. Rowland between twelve and one o'clock Sunday in his office. "I am glad to be free and out of jail, which has not been a pleasant summer resort. My wife and I will leave this afternoon for my uncle's home in Vance county where we will spend a few days, and we will then go to the Jamestown Exposition on a short visit, after which we will come back to Raleigh where I shall continue to occupy these offices and to practice medicine. I am feeling in good health

SPECIAL TAX FOR DURHAM SCHOOLS

The cap of Mr. Olds was blown off his head while the machine was coming along at a reasonable rate of speed and the driver Mr. Lyon, looked around to see what was the matter.

Elections Ordered Three Districts

AUTO HIT ROY PILE

A Broken Jaw and Bent Axle the Principal Items in the Resulting Damage—Poisoned Meat Distributed in the Road and Many Dogs Killed.

(Special to News and Observer.) Durham, N. C., Oct. 7.—At a regular meeting of the board of education for the county, which was held today and will extend into tomorrow, the board approved the applications of three school districts for elections on special school tax for the districts interested. The matter now goes to the board of county commissioners, in session, and the elections will be ordered. It is thought that there is a very fine chance of voting the special tax in each of the school districts.

IN OPEN SWITCH

Train Wrecked at South Rocky Mount

Engineer Boney Met Death Under His Over-turned Locomotive—The Body Recovered From the Wreckage Later.

(Special to News and Observer.) Rocky Mount, N. C., Oct. 7.—The Atlantic Coast Line north bound train No. 47, which passes through here at about two o'clock in the morning, was wrecked on the lower part of the yard at South Rocky Mount early Sunday morning. The shifting engine ran into an open switch and down as usual when a head-on collision occurred between it and No. 82. The shifting engine was smashed and the engine of No. 82 was derailed and badly torn up. Five mail clerks had barely escaped by jumping when the train in which they were at work was crushed into a thousand pieces. The bodies of the passengers were scattered about the wreckage, and his body was severely crushed and mangled, death occurring instantly. His name is George Mont, was well known in Rocky Mount. His colored driver was injured so that he died in a few hours. With the exception of these two deaths and pieces of baggage, the mail clerks and a few of the passengers no other injuries were received.

The wreck is said to be due to a defective switch. It is thought that the switch had been turned and locked, but the rail failed to move, and thus the switch really remained open. The work of clearing away the wreckage has been begun as soon as possible after the wreck and continued all day Sunday. Large crowds from here went down to see and take photographs of the debris.

(Special to News and Observer.) Wilson, N. C., Oct. 7.—Sunday morning a shocking death occurred a short distance this side of South Rocky Mount. A north bound passenger train that passed Wilson at 1:45 a. m. ran into an open switch, crashing into a locomotive standing in the siding—killing the engineer, George Boney, and injuring several men on the train. The mail crew slightly hurt. None of the passengers was seriously hurt but all were considerably shaken up.

The accident occurred near three o'clock and the body of the unfortunate engineer was retained until nine o'clock Sunday morning. The deceased formerly lived in Wilson and was familiarly known as "Tom". It will be remembered that just after the Wilson and Florence Short cut was completed, fast time was what the railroad authorities wanted. The first train was run by an engineer who failed to make good. He was immediately removed and Mr. Boney was put on in his place and made the scheduled time required. Passengers had no fault to find of him, but he was retained to a freight engine because they considered him "a fast man". The railroad men soon found out his worth and reinstated him to his old position when he creditably filled his new position.

Boney Lived in Duplin. Wilmington, Oct. 6.—Engineer George Boney, who was killed in the wreck of the Atlantic Coast Line train at South Rocky Mount, was well known here, having made this city headquarters for some time. His home was at Teachers, in Duplin county, where his father and other members of the family live. A little daughter of the deceased lives at Manchester, Va. where Mr. Boney made his headquarters until a short time ago and where he is well known, being a prominent member of the Order of Elks in that city. A very handsome floral tribute was sent from the Wilmington lodge to be laid on his casket and a committee from the branch of the order in this city attended the funeral.

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KILLED BROTHER

Horrible Murder of a Deported Man in Pitt

Claimed That It Was Done in Self-Defense But Shown That Killed Brother While Asleep.

(Special to News and Observer.) Wilson, N. C., Oct. 7.—News was received here today of a horrible murder committed at the Jefferson place four miles from Farmville. Two brothers lived there—Tom and Jim Jefferson. Jim was deported, Tom killed him and claimed that he committed the deed in self-defense. Upon the trial it was shown that he struck him on the head with a piece of stove wood while he was asleep. Tom was put in jail to await Pitt Superior court.

SCRAPPING AGAIN

Forces of Honduras Capture a City of Salvador.

(By the Associated Press.) San Francisco, Oct. 7.—The Pacific mail steamer, San Jose, from Panama and way stations, arriving in this port this morning, brought word of the capture of the Port of Acajutla in the latter part of September by the Honduran land forces after a battle with the army of Salvador.

JURY TOLD ABOUT LAW OF PEONAGE

Judge Boyd Severe on Blockading Business

TWO DUTIES CONFLICT

Interests of The Public Give Way to Those of The Church—Marshall Millikan's Experience as a Revenue Raiser Begins Auspiciously.

Greensboro, N. C., Oct. 7.—The United States District Court opened here this morning for a two weeks term. The most important case on the docket, that against Percy Fonzelle, indicted for complicity in embezzling the funds of the bank in Charlotte in which Cashier Jones is now serving a sentence in the penitentiary, got the money and ran away, is set for Thursday of this week. Judge Boyd this morning devolved a very elaborate charge to the grand jury following his usual lines of laying down the law as to the various Federal statute law offenses against the United States revenue law, the postal law and so forth. The new matter in Judge Boyd's charge to the grand jury was relative to the now much talked of peonage question. He said it was contrary to law to make a citizen criminally responsible for a civil obligation. Illustrating this he cited that when New Mexico was taken into the Union there was a system there of imprisonment for failure to carry out a contract, and that a citizen should not be deprived of his liberty for failure to meet a civil obligation. The statute was framed and voted against "peonage." This statute applies now, he explained, that present condition in some parts of the country where great contractors and even farmers in the South were holding guard over employes or sending them to prison for failure to comply with their civil contracts. Judge Boyd further stated that he did not know of any form of this so-called peonage that was being practiced in this section, but if the grand jury knew of any such cases, it should be presented.

Statesville Baptists Begin With Thanksgiving

Seven Candidates for Church Membership Baptized—The Building Attractive, Commodious and Convenient.

(Special to News and Observer.) Statesville, N. C., Oct. 7.—The congregation of the First Baptist Church held the first church in their hands some new church yesterday morning. The going into this new house of worship was a great event in the history of the congregation and the service yesterday morning was made one of thanksgiving and praise. The pastor, Rev. Charles A. Jenkins, preached a strong sermon, and the choir rendered a number of selections appropriate to the occasion. Immediately after the sermon a resolution thanking and commending the building committee which had charge of the erection of the church, was unanimously adopted. After this the right hand of fellowship was given to a number of candidates for baptism and the congregation then mingled with one another and enjoyed being at home again.

LEAPED OUT A WINDOW

Engineer Lacy Thinks He Must Have Been Dreaming.

(Special to News and Observer.) Winston-Salem, N. C., Oct. 7.—Mr. Thomas D. Lacy, passenger engineer for the Norfolk and Western, his run between this city and Roanoke, Va., while asleep arose from his bed about 12 o'clock Saturday night, raised the window, opened the blinds and leaped out, falling on a brick pavement between this city and Roanoke, Va., sides breaking his right leg near the hip. Mr. Lacy sustained painful bruises on the head.

Report Shows General Increase in the Receipts.

Columbus, Ohio, Oct. 6.—The reports of 39 railroads operating in Ohio, just submitted to the State Railway Commission, show that the Two-Cent Passenger Fare law has in the main operated to their advantage. The reports for the fiscal year, ended June 30, 1907, show an aggregate net income of passenger receipts for these roads of \$1,332,282, compared with earnings for the year 1906 which included three months' operation under the 2-cent fare.

THE WEATHER.

Rain Tuesday; Wednesday fair and colder; fresh south winds becoming west. The Weather Yesterday. Maximum temperature 80 degrees; Minimum temperature 54 degrees; Total precipitation for 24 hours ending 8 p. m., 1.47 inches.

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THE IMMIGRATION LAWS VIOLATED

States May Not Offer Employment

OR PAY FOR PASSAGE

Decision by The Attorney General in The Case of an Assisted Immigrant to Louisiana—The State Will Take the Matter Into The Courts.

(By the Associated Press.) Washington, D. C., Oct. 7.—Attorney General Bonaparte has rendered an opinion in an important case involving the right of a state to solicit immigration from a foreign country. He holds, that in the case submitted to him, the state violates the immigration laws in paying the passage money of the immigrant and that, in this respect, the state does not differ in law from an individual. The case in point has been pending before the Department of Commerce and Labor since August 5th. On that date Gonzalo Garcia arrived at New Orleans from Cuba. By the special board of inquiry at the former place he was denied admission to the United States. The investigation developed the fact that his passage money had been paid by Reginald Dykers, an agent of the Louisiana State Board of Agriculture and Immigration, out of funds regularly appropriated by the state legislature. He was given assurance that employment as a farm laborer would be secured for him, and he promised to return to the state the money advanced to him to pay his passage from Havana to New Orleans. No employer was selected for him, but he was left free to work for whom he pleased.

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The earth, if viewed from Mars or Saturn, would no doubt present many curious faces.—From an Astronomer's Note Book.