

SUPREME COURT OF STATE TO SETTLE JUDGES' DISPUTE

Conflict of Jurisdictions Referred to South Carolina Tribunal

PROCEEDINGS IN CONTEMPT RECALLED

Judge Speer Insists on Bankrupt Law Over State Receivership

(By Associated Press.)

SAVANNAH, Ga., July 10.—Conflict between the Federal and State courts which was threatened over the assets of the Electrical Supply company has been averted by the agreement of both Judge Speer and Judge Charlton to refer the issue to the Supreme court of Georgia.

Judge Charlton had named as receiver W. V. Davis, and Judge Speer named United States Marshal White as receiver. Judge Charlton refused to recognize the jurisdiction of Federal officials and ordered his receiver to refuse to obey Judge Speer's writ.

Thereupon, Judge Speer cited Davis for contempt.

Judge Speer Conciliatory.

Today Judge Speer proposed to Judge Charlton, that if he would hold intact all the company's property until the state Supreme court could pass upon the question of jurisdiction, the citation for contempt would be recalled. Judge Charlton wired that he would agree, and Judge Speer telegraphed back:

"Your telegram received. Rule against receiver accordingly suspended."

Judge Speer's letter to Judge Charlton, while deprecating the unfortunate situation and offering a way to solve the dispute, nevertheless, maintained that the Federal courts view was the only tenable one and indicated that the United States court would stop at nothing to enforce its mandates.

Concern Bankrupt.

Judge Speer, in the letter, said: "If, however, you do not think proper to adopt this suggestion, I must do the best I can towards the enforcement of the law as I conceive it to exist, to prevent the distribution"

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DEATH OF MARINE OFFICER WILL BE PROBED BY COURT

Second Court of Inquiry Ordered to Investigate Shooting of Officer at Naval Academy Two Years Ago.

(Special to The Citizen.)

WASHINGTON, July 10.—The navy department yielding to the long and persistent efforts of the mother of Lieut. James M. Sutton, who was killed under mysterious circumstances at the Naval academy at Annapolis, in October, 1907, has finally determined to investigate the case further, and has accordingly appointed a second court of inquiry for that purpose. At the court of inquiry held immediately after the tragedy the decision was given that the young lieutenant had come to his death by his own hand. Mrs. Sutton finally presented the affidavit of the chauffeur who had driven Lieut. Sutton and two fellow officers on the night of the tragedy which threw a new light on the affair, and it was on these that the department finally took action.

Members of Court. The court of inquiry will be composed of Commodore John Hood, Major W. C. Neville, of the Marine corps, Lieutenant Henry M. Jenkins and Major Henry Leonard, of the Marine corps, as judge advocate.

At the original investigation into Lieutenant Sutton's death, held in October, 1907, shortly after the event, the only witnesses examined were Lieutenants Robert E. Adams and Edward P. Roelker, who were among his companions when the fatal bullet was fired. They testified that he shot himself, thinking he had killed Roelker, with whom he had been quarreling.

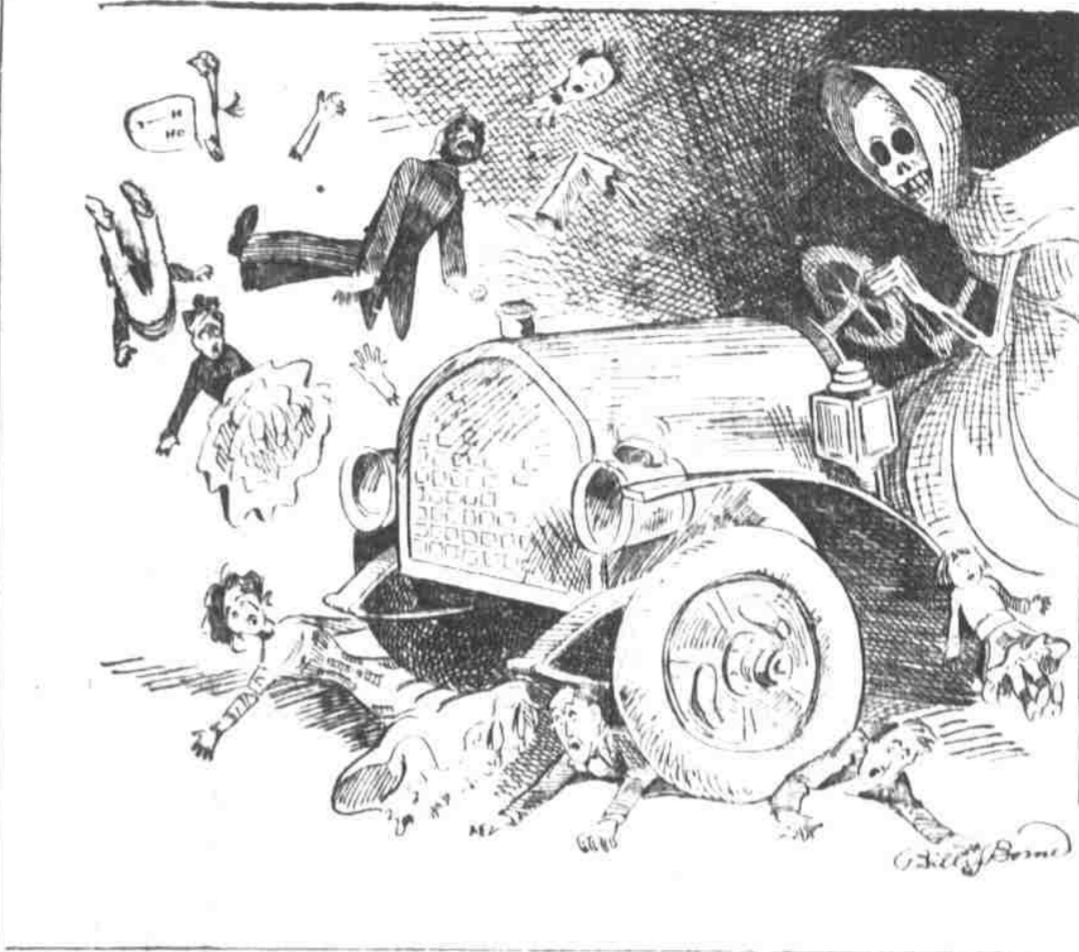
Chauffeur's Statement. The chauffeur's affidavit says:

"On the night of Lieutenant Sutton's death, October 12, 1907, I was busy with my machine on account of a dance at the academy. Around midnight I was at Carvel hall. A number of people were around the hotel and where they had drinks served. Lieutenant Sutton was not a member of this party, but he was upstairs in the hotel with some other people."

"About 12:15, or maybe 12:30, he asked me to take him up to the barracks. I told him that there were three officers going up in a few minutes, and asked him to wait. He said: 'Alright, we'll all go up together.' About 1 o'clock three officers came out, and with Lieutenant Sutton got into my machine."

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The Modern Juggernaut.



ELEVEN INJURED IN WRECK OF PASSENGER TRAIN ON TOXAWAY LINE

Two Coaches Turned Over on Their sides but None of the Passengers Were Seriously Hurt—Two Asheville People on List—Mr. Merrick Escaped Unharmed.

(Special to The Citizen.)

Passenger train No. 7, from Lake Forkway to Asheville, was wrecked near Etowah station about ten miles below Hendersonville at 4:45 o'clock yesterday afternoon, and while none of the passengers were killed eleven were more or less seriously hurt.

Those injured are:

J. N. Marsh, Asheville, wrist cut and hip sprained.

A. W. Bristol, Forestry student, several cuts.

A. N. Albers, Baltimore, Md., right arm sprained.

Mrs. L. N. Norman, Blantyre, right arm sprained.

O. L. Mitchell, Chattanooga, Tenn., back sprained.

Mrs. D. L. Mitchell, Chattanooga, Tenn., right leg and arm cut and neck sore.

R. M. Hanes, Greensboro, Ala., bruised.

Mr. A. S. Eisman, Brevard, arm sprained.

Taylor Daniels, colored porter, Greensboro, right arm broken at the elbow.

Estelle Foster, colored, Hendersonville, right leg bruised.

E. F. Eicherl, mail clerk, Statesville, arm bruised.

Injured Caret For. As many of the injured as would go were immediately taken back to Henderson on the right train where their wounds were dressed and cared for by the company.

The most seriously injured were Mr. and Mrs. O. L. Mitchell, who were in the chair car and were both badly cut by broken glass. Mrs. Mitchell also suffered from a nervous shock after the accident.

Mr. Bristol, a student at the Hillmore Forestry school, was also badly cut up, suffering from cut over the eye, on the nose and wrist and a sprained finger.

Mr. Paul Merrick, of this city, was a passenger on the train, but escaped without any injury, whatever. He drove over to Hendersonville and came on home last night. Mr. Albers was a passenger on the train also, came on and stopped at the Berkeley.

The train was rounding the curve about half a mile below Etowah, and was running at a slow rate of speed when the wreck occurred. The track there is on level land, and after leaving the rails the engine plunged along for about fifty yards. The parlor car and first-class coach turned over on their sides, and the other coach and baggage car tipped. The engine did not turn over.

According to those who were on the train the wreck was not severe. The cars that turned over went over slowly, and most of those injured were hurt by broken glass.

There was little excitement except in one of the coaches where there were several children. The passengers in the overturned cars climbed out of the windows, and scrambled out of the doors. The cars were but little broken up by the wreck.

The wreck was caused by a springing rail, due to the soft condition of the track after the recent heavy rains. A working train went out from Asheville last night, and it is expected that the line will be cleared by this morning.

PUTS ALL BLAME ON DEAD MAN TO DEFEND HUSBAND ON CHARGE OF MURDER

Wife Declares She Was Attacked by Her Husband's Nephew.

ADMITS RELATIONS

(By Associated Press.)

DETROIT, Mich., July 10.—Mrs. Ethel Boyajian, testifying today in behalf of her husband, Dr. R. K. Boyajian, on trial for murder, told the story of her relations with Harout Gostanian, her husband's nephew, which Dr. Boyajian's attorneys contended unsettled his mind that he was irresponsible when he shot and killed Gostanian in police court here April 30.

She described the fatherly relation her husband had always assumed toward his young nephew. While Dr. Boyajian was away on a lecture trip in April Mrs. Boyajian testified, Gostanian attacked her in her home, repeating the assault on three occasions. She declared that he threatened to kill both her and the doctor if she revealed what he had done.

She admitted having called several times on Gostanian at his rooming house and having telephoned him there, but denied that there was anything wrong in it. She also denied expressing sympathy for Gostanian, as he lay dying in police court and said that her efforts then were to reach her husband's side.

NEGRO IN AMBUSH SHOOT ANOTHER

OCALA, Fla., July 10.—George Kinley, an old and well known negro living near Reddick, was shot from ambush a few yards from his home this morning by Will Andrews, also colored. The shooting was done from close range with a shot gun and was caused by a disagreement over a trivial matter. Frank Kinley, a son who heard his father's cries, went to his rescue and after securing the weapon, used it with telling effect over Andrews' head.

HER CORRESPONDENCE COURSE IN LOVE LED HER ON VAIN HUSBAND HUNT

Mountain Girl Not Pretty Enough for Her Long Distance Wooer.

WANTS TO COME HOME

(Special to The Citizen.)

CHICAGO, July 10.—Lured to the promises of a rich city suitor and tired of the farm in the Tennessee mountains and the never ceasing round of cooking and sewing for a family of eleven, Miss Ella Simmons, twenty-three years old, came to Chicago a week ago to marry the man who had won her love by his fervent correspondence in countless love letters.

Last night she sat in the reception room in the Y. W. C. A. headquarters, 238 Michigan avenue, eager to receive to her mother, her six brothers and two sisters, and almost glad that her self-satisfied suitor had proved faithless.

The young woman is not a beauty and it is supposed the sight of a plain country girl with red hair and a mountain fashioned gown carrying a note lashed in her hand, was not a cooling of the ardor of her suitor and led him to hurry from the railway station without announcing himself. After she had announced herself to Miss Simmons since her arrival.

"I don't care much," she said, concerning her shattered romance, "but I'd like to get back home."

The police for several days have been endeavoring to find the man who sent the unsophisticated mountain girl \$10 and promised to meet her at the Illinois Central station on her arrival in Chicago. She had the picture sent her by the man who said she had corresponded with for the last thirteen months and who had assured her that he could not be happy without her.

It was several days after she received her money, she said, before she had a good chance to slip away from the folk.

"Mr. Jones" had given her minute directions to wear a yellow ribbon when she arrived at the Chicago station.

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IT'S ELEVEN O'CLOCK IN "LOS" ALL TIME WHILE ANTLERED HERD'S THERE

Thousands Have Already Arrived and More Are on Their Way.

ONE TRAIN WRECKED

(By Associated Press.)

LOS ANGELES, Cal., July 10.—The music of a score of horns and the rattle in the uniforms of the various drill corps of the many Elks lodge gathered here thousands of the antlered guests of the city paraded the downtown streets of the city tonight and made music.

Special trains from various parts of the country arrived early, among the first being the train bearing Grand Exalted Ruler Ross L. Holland and Grand Secretary Fred C. Robinson, which had been delayed by heavy rains in the middle West.

Upwards of 15,000 registration were recorded during the day.

Twelve special trains are scheduled to arrive tomorrow which will swell the list to fully thirty thousand. It is expected that fully seventy-five thousand visitors will be in the city by Sunday night.

Tomorrow one thousand automobiles will take the guests on a sight-seeing tour of the city.

Elks in Wreck. GRAND JUNCTION, Cal., July 10.—Three train men killed and one fatally injured and traffic tied up for more than twelve hours are the results of a head-on collision early today near Cisco, Utah, between west-bound passenger train and an east-bound sheep train.

Elks bound for Los Angeles were passengers of the wrecked train. The engine crew and baggage man of the passenger train were killed. Fourteen special trains carrying Elks to Los Angeles were held up all day.

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SCENTED HORRIBLE CRIME WHEN HE FOUND MAN'S LEG

But It Was Merely One That Had Been Sawed off in Hospital.

(Special to The Citizen.)

CHARLOTTE, N. C., July 10.—"That Christopher" was summoned hurriedly to South street, yesterday afternoon on a report that a man had been cut off by pieces and one of his legs were left.

The chief went to the scene and indeed upon him. There was no sign of an accident, but the gruesome find convinced him. No one could explain the extra leg. An investigation was instituted and it was ascertained that it is likely at one of the city hospitals a leg had been amputated from a patient. The great road had turned the superfluous limb over to a trusty porter who was directed to bury it. The funeral was a severe duty and the leg placed under soil, but the hole made was deep enough and a vagabond dog had unceremoniously sniffed and dragged it to the place where found.

Chief Christopher sent the amputated portion of a human being to the crematory at once, along with the garbage from the city. It was placed over the flames.

It was a case of the strange that was suggested by the attention of the police. The body was found in a garbage can under the bed of a man who had been in the city for some time. The man was found in a state of unconsciousness and was taken to the hospital. The police are investigating the case.

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PARIS APPROVES PENALTY IMPOSED ON PUCCINI'S WIFE

Crowd Makes Demonstration in Front of Her House After Sentence

COURT CONDEMNS HER TO IMPRISONMENT

Composer Says Her Health Makes This Punishment Impossible

(Special to The Citizen.)

PARIS, July 10.—The sentence of imprisonment of five months and five days, passed yesterday on Signora Elvira Puccini, wife of the composer, Giacomo Puccini, for defamation of the character of a servant long an inmate of the Puccini household, meets with widespread approval here, where the tragic circumstances of the suicide of the servant after her innocence had been proved created great indignation.

Madame Puccini did not appear in court, being condemned by contumacy. Her lawyers were utterly unable to create any sentiment for her favor.

After the decision a large crowd made its way to the composer's house where it indulged in a demonstration which completely prostrated Signora Puccini, who took to her bed.

As the sentence reads she was condemned not only to imprisonment, but to pay a fine of seven hundred lire for slander, insults and threats against twenty-two-year-old Dora Manfredi, a domestic who killed herself last January, and who, the autopsy revealed, was innocent of any improper relations with Puccini.

Girl Long in Family. Dora had entered the service of the family of the composer a number of years ago. But only during the past years had the "suspicions" of Signora Puccini been aroused.

At first the wife declared she had definite dates and other irrefutable details in her hands and discharged the servant.

Dora, broken hearted, returned to her parents, who were entirely unable to console her, and after a few days the girl committed suicide, leaving a note stating that she thus meant to prove her innocence.

An impressive funeral was held over the girl's body. Even Puccini, himself, contributed largely to her perfecting her, was a witness to her perfecting her.

For some time Mrs. Puccini, insured upon her charges, but she now maintains a complete silence. Asked if she will have to undergo actual imprisonment, Puccini today replied that he hoped not.

"At any rate," he said, "her physical state at present does not admit consideration of such a question."

MRS. ALDRICH GRANTED DIVORCE FROM THE SON OF LEADER IN SENATE

After Pending five Years in Court Case Is Decided

Secretly.

CUSTODY OF CHILD

(Special to The Citizen.)

PROVIDENCE, R. I., July 10.—It was announced today that Mrs. Mary Aldrich had secured a divorce from her son of Rhode Island who, a senator, had requested a decree of divorce for non-support. His wife yesterday afternoon in Providence, T. D. Brown's court, with Aldrich at her side and the custody of their only daughter, Susan Catherine Aldrich.

The divorce was granted but it was reported that Mrs. Aldrich declared she had renounced herself and paid off her husband's expenses and that she would not know where her husband would be, but she would be in Providence for the last six or seven years. Mrs. Aldrich was said to be interested in the matter.

Mr. Aldrich had asked for a decree and the custody of his daughter on the ground that the respondent had deserted him for more than five years but this was denied. No information was given out, only the most formal statement appearing on that point of the court record accessible to those not officially connected with the case.

On May 24, 1904, Mrs. Aldrich filed a divorce petition here, alleging extreme cruelty, and asking at that time for the custody of her child, for separate maintenance and for an allowance for the maintenance, support and education of the child, but this petition was dismissed on her motion yesterday.

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