

THE RALEIGH EVENING TIMES

VOLUME 30.

RALEIGH, N. C., WEDNESDAY, JUNE 26, 1907.

PRICE 5c.

MISS LOVING'S STORY IS BITTERLY ATTACKED

The Prosecution Asserts She Sacrifices Her Honor to Save Her Father

THAT NO OUTRAGE WAS COMMITTED BY ESTES

Miss Loving's Story of Her Alleged Ruin, Told With Voice at Times Broken by Emotion, Corroborated the Statements Made by Her Father in Every Smallest Detail. The Judge is Shown to Have Been a Hard Drinker and to Have Suffered from Delirium Tremens.

(By Leased Wire to The Times.) Houston, Va., June 26.—The remarkable confession of Elizabeth Loving, in which the state asserts that she sacrificed her honor in the effort to save her father former Judge W. G. Loving, from the death penalty for killing young Theodore Estes, was bitterly attacked today by the prosecution.

As soon as the defense was through the state had prepared to prove that the story told by Miss Loving, that she had been attacked by Estes while unconscious from drugged liquor was untrue and that she had offered her honor in exchange for her father's life. The prosecutor announced that he would prove that she was still pure and had never been the victim of the attack she described in her startling confession.

Houston, Va., June 26.—What is regarded by many as the climax of the Loving trial was reached yesterday afternoon when Miss Loving took the stand in her father's defense. Her testimony corroborated that of her father in every detail. She showed remarkable composure in giving her evidence, speaking with a clear voice, though upon several occasions she gave vent to her feelings with tears. When she reached that part of her story relating to Estes' assault upon her she broke down completely and could not continue for some time. While she was on the stand the prisoner seemed to be much affected, burying his face in his handkerchief.

On cross-examination it was brought out that Miss Loving had taken a drink before going on the stand, and that her clothing showed no disarrangement when she was undressed that night.

Following Miss Loving, two doctors were put upon the stand and gave testimony as to the effect of continued use of liquor and frequent attacks of delirium tremens. They testified that the effect would be a diseased mind of such a type that any great shock would be likely to cause temporary insanity. From this it would seem that the defense intends to bring in the plea of insanity.

Loving's Liqueur Record. At today's session Mr. John P. Beard, sheriff of Amherst county, and D. M. Harrison, lawyer, of Amherst Court House, were put upon the stand to testify as to Judge Loving's use of liquor. It was brought out by their evidence that for a great many years Judge Loving has been a hard drinker, subject to frequent attacks of delirium tremens. They further state that before he began drinking he was a pleasant, agreeable man, but his temperament was entirely changed by dissipation.

Sheriff John P. Beard, of Amherst county, was the first witness called this morning. Judge Loving, said the witness, had often suffered with delirium tremens. The defendant is pale and nervously twitches his moustache.

Among those who occupied seats near the prosecution attorney were three brothers of Governor Swann, from Danville, John P. Swanson, who is taking a leading part in the prosecution, married a sister of young Theodore Estes. There were no women in the court.

The Father's Story Concluded. Judge Loving yesterday, in concluding his story of the tragedy, said: "After dinner, I told Elizabeth of the conversation with Harry Sneed. She got down on her knees and between sobs and tears said that Sunday evening Theodore Estes invited her to go buggy riding with him. They drove down to the house where Theodore Estes lived, and he got out and remained for some time. They then drove, she said, in the direction of Gap. Estes produced a bottle of

George Evans



This is a picture of George Evans, who was a companion of Marie Venet, whose body was found in Sunset Lake, N. J., under suspicious circumstances. Evans admits that he fought off the girl in order to save his own life.

whiskey and offered her a drink. She declined, but later did take a drink and soon began to feel dizzy and queer. She requested him to drive fast and return home instead of continuing to Lovington. He went rapidly up the mountains in an opposite direction. After that she became unconscious and did not know what happened. When asked if Estes assaulted her, she said Estes had forced himself upon her and she had only a faint recollection.

The witness began to weep, but controlling himself, added: "I went out intending to put that man to death. I went to Oak Ridge and inquired for Estes. I learned that Estes was in a car at the station. I then got out of the buggy and loaded my gun. I saw Estes in the car with two negroes, waved them aside and said to Estes:

"You are the young man who takes ladies out driving and ruins them." I heard no reply, and when he made a motion as to leave the car, I shot him. I then surrendered myself to the nearest magistrate."

The witness, in reply to questions, stated that for two months prior to the killing he had not drunk any whiskey. He related his struggle with the whiskey habit and how it had injured him even to the extent of separating him from his wife; told of going to an institution for incurables in 1898, and from that date did not drink until 1904. The witness stated that since October, 1905, he had gone on sprees which impaired his health and his mind. He had suffered several times, he said, with delirium tremens.

Harry Sneed, who lives on the Oak Ridge farm, and who is assistant manager of the estate of Thomas F. Ryan, was the next witness. He corroborated the testimony of Judge Loving.

At the afternoon session the court ordered the court room cleared of all persons except those directly interested and the newspaper correspondents. In a few seconds the crowd had fled out, and everybody knew this step was preliminary to the placing on the stand of Miss Loving. Miss Loving was weeping when she took the arm of Attorney Lee, leading counsel for the defense, who led her to the stand.

Miss Loving's Story. She told the following story: "He (her father) told me that Uncle Harry Sneed had told him that Theodore Estes had brought me home the night before in a drunken and unconscious condition, and he wanted me to explain to him what it all meant. I went over and knelt down by my father and put my arms around him. He produced a bottle of

THE CENTRAL OF GEORGIA'S SOLD

The Question of Its Ownership and Control

THIS IS UNSETTLED

Though Not Proven That the Southern Has Controlled the Road, It is Believed That the Sale is a Move to Evade Laws Affecting Competitive Lines in Georgia.

(By Leased Wire to The Times.)

New York, June 26.—The Central of Georgia Railroad has been sold. The purchasers, Oakleigh Thorne and Marden J. Perry, are well known financial men. The price at which the road was sold and the ultimate destination of the property, it is impossible to learn at this writing. Edwin K. Joline, chairman of the Richmond Terminal reorganization committee, which has held the bulk of the Central of Georgia stock, made the announcement today that he sold to Messrs. Thorne and Perry all the capital stock of the Central of Georgia held by that committee since 1904-05, upon the consummation of the Richmond Terminal reorganization and after reorganization of the Georgia Central Railway and Banking Company. The net proceeds of the sale are to be paid over to the Southern Railway Company, which, as stated in the testimony given in 1899 by President Samuel Spencer of the Southern Railway, was entitled to the financial benefit of any sale of the stock, though the Southern did not assume to control the railroad.

Messrs. Thorne and Perry declare it to be their purpose to operate and develop the Central of Georgia system as an independent system for the benefit of its stockholders and of the public served by it, and accordingly they will, for at least two years, continue to hold at least 60 per cent of the capital stock. They decline at present to make any further statement than this as to their purposes.

Mr. Joline is also reticent about giving any further particulars of the sale. He said, however, that the sale was not in the interest of the Baltimore & Ohio. Montgomery, Ala., June 26.—Whether the Central of Georgia Railroad has been owned or controlled by the Southern Railway is a question that courts have not yet settled. While it is not admitted nor proven that the Southern owns or controls the Central, it is thought by local railway authorities that the sale of the Central is a move to circumvent the laws of Georgia which prohibit the owning or controlling of a competitive line.

DEAD BENEATH HIS AUTOMOBILE

(By Leased Wire to The Times.)

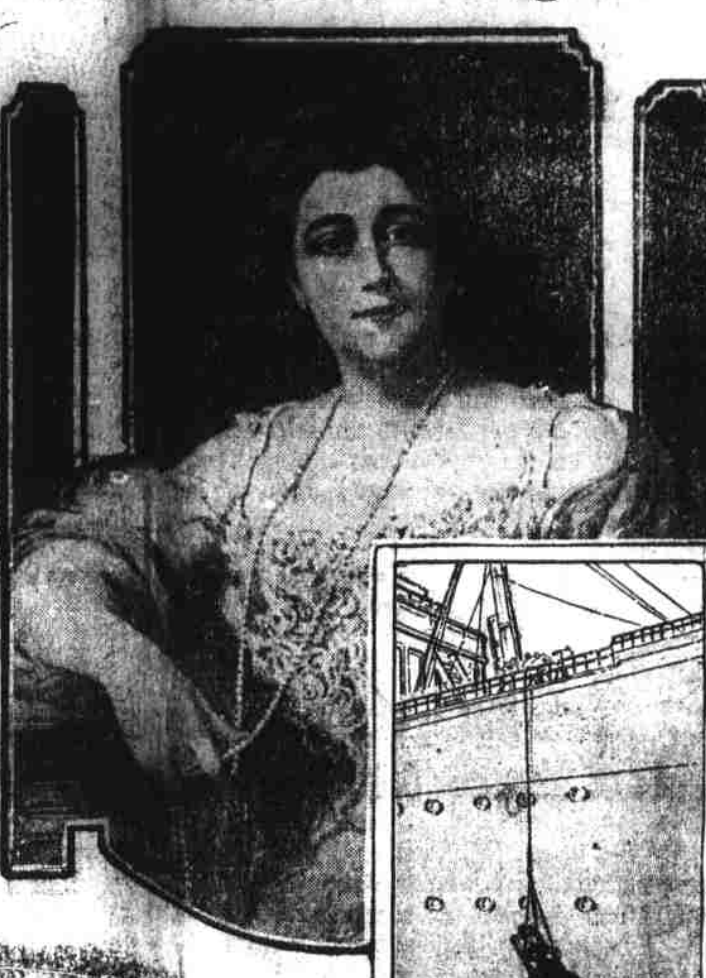
New Haven, Conn., June 26.—Daniel Leet Oliver of Allegheny, Pa., a junior in the Sheffield Scientific School, was instantly killed by the overturning of an automobile this morning. J. C. Colston, of Baltimore, was seriously injured, and W. Strother Jones and a Mr. Hudson of New York, slightly hurt. The four men were taking a sharp pace along the railroad track at Centerville when Oliver turned the steering gear so suddenly that the car struck an iron post. The automobile rolled down a fifteen-foot embankment, tramping completely over.

BLOW FOR HOLMES; HIS WIFE WEEPS

(By Leased Wire to The Times.)

Washington, June 26.—The motion of the defense in the Erwin S. Holmes, Jr., trial for conspiracy against the United States, by reason of his living out advance information concerning the June, 1905, cotton report, that the case be taken from the jury and a verdict rendered for the defendant, was denied today by Justice Stafford. When Justice Stafford announced his decision Mr. Holmes, who was seated next to her husband, was overcome and sobbed aloud several minutes.

Mrs. Jefferson Seligman.



HE'S ON THY BALD, AWFUL HEAD, O J. D.

A Case of Et Tu Brute at Chicago University

HOXIE GETTETH RANK

That is, From the Rockefeller Point of View, Taking the Trades Union's Point of View in a Manner That Would Satisfy the Most Radical Union Man Alive.

(By Leased Wire to The Times.)

Chicago, June 26.—From the University of Chicago, the John D. Rockefeller university, endowed with millions of dollars of the Standard Oil trust king's money, comes a most amazing paper, written by Prof. Robert F. Hoxie, of the department of political economy. The article, which is printed in the June number of the Journal of Political Economy, issued by the authority of the Chicago Press, is called "The Trade Union Point of View."

Prof. Hoxie takes the trades union point of view in a manner that would satisfy the most radical labor organization adherent. He even goes so far as to excuse contract breaking on the part of the working men when strikes are ordered and condones the slugging of "scabs" by union laborers.

Prof. Hoxie justified the union working man in his acts on economic grounds. He says: "That he slugs the scab in violation of law while the employer regularly tries and imprisons the contract breaker does not necessarily indicate on his part greater brutality, lack of morality or the lack of reverence for law. It may mean simply that there is no law to enforce his essential rules of the game."

TO ACCEPT RATE LAW FOR PRESENT

(By Leased Wire to The Times.)

Chicago, June 26.—After a number of conferences among the presidents of the Illinois board, it is agreed that there shall be no advance contests of the two-cent rate law which becomes effective Monday. The plan now is to put the rate in, according to the commands of the measure, and after three or six months, or whatever period is necessary, if a deficit in net earnings is shown, the roads will go into court with such an exhibit as a reason for declaring the law confiscatory. Expert traffic men claim that they believe there will be no trouble in showing to the satisfaction of any tribunal that the railroads cannot do business profitably on a two-cent rate.

FIFTY BUILDINGS FLARE AND SINK IN GREY ASHES

THE RESULT OF A CONSPIRACY

Its Object to Break Down Miners Federation

CAN THIS BE PROVED?

Haywood's Counsel Claim That They Can Show Clearly That Orchard's Crimes Were Committed With This Purpose in View and Will Introduce the Necessary Evidence.

(By Leased Wire to The Times.)

Boise, Idaho, June 26.—Encouraged by the showing made yesterday, the defense in the Haywood case proceeded with the presentation of their testimony today, confident that they would be able to break down the remarkable story by Harry Orchard insofar as it affects Haywood and the other officers of the Western Federation of Miners.

The decision of Judge Wood as to the admission of testimony in which he sustained Mr. Darrow's point that the defense had a right to introduce evidence showing Orchard's connection with the mine owners and detectives makes it certain, according to the claim of Haywood's counsel, that they will be able to show that all the crimes committed by Orchard were the result of a conspiracy to discredit and destroy the Western Federation. They claim that they have ample testimony to show this conspiracy and that the murder of Governor Steunenberg was the result either of his conspiracy or the private grudge held by Orchard against the governor for driving him out of Idaho.

When the taking of testimony was resumed this morning, Haywood was more cheerful than he has been at any time since Orchard began his story on the stand. His wife, who has stood loyally by him since the beginning, also shows a relief from the tension which had begun to tell on her.

MAY KILL NEW YORK AND CHICAGO WIRES

(By Leased Wire to The Times.)

Chicago, June 26.—Telegraph operators of New York and Chicago are to be called on strike simultaneously within a short time unless the San Francisco strike is settled. It was announced at noon today on high authority that the International union and the Chicago Board of Trade and the New York Stock Exchange had made arrangements for an independent telegraph service.

A millionaire stock broker, supported by the Armours, Swifts, Sir Thomas Lipton and John J. Mitchell, is declared today to be in negotiation with the independent telegraph companies operating long-distance wires for a lease on those wires for use of an independent telegraph company in the event of a strike that affects Chicago and New York city.

Union agents were sent out by International Secretary Russell of the telegraphers to an office in the Continental Bank building, where it was reported strike-breakers were being hired. It is said those men are sent as soon as engaged to Stony Island, where they are being kept for use in the Chicago offices when the trouble begins.

NO NEW TRIAL FOR STANDARD

(By Leased Wire to The Times.)

Chicago, June 26.—Judge Landis, in the United States district court, today overruled the motion for a new trial made by the Standard Oil Company in the rebate cases, and took steps at once to determine the amount of the fine which will be imposed. The minimum penalty would be \$29,000,000.

The Jamestown Exposition Threatened by a Fierce Conflagration

BROKE OUT IN POWHATAN IN THE EARLY MORNING

And Raged Until About Noon, at One Time Menacing the Exposition Buildings Themselves When the Outhouses of the Inside Inn Crumbled in the Intense Heat—An Unknown Woman Rescued by a Chicago Man from the Flames Enveloping the Arcade Hotel.

(By Leased Wire to The Times.)

Norfolk, Va., June 26.—Fire, costing at least one life, and possibly three more, destroying fifty buildings with a loss varying in estimate from \$100,000 to \$200,000 and at one time threatening the Jamestown Exposition, leaping the barriers at one place and consuming an outbuilding of the Inside Inn at Pine Beach began this morning at 5 o'clock and burned itself out without opposition of fire apparatus at about noon.

One man is known to have perished in the flames. Who he is has not yet been ascertained.

Three or four other persons have not yet been accounted for and are believed to have been incinerated. Pine Beach has no fire protection. Hand brigades formed of property owners did their best to stay the conflagration, but with little effect until every building in the path of the flames had been consumed. Inside Inn, just within the exposition grounds, was in grave danger at one time. An out-building of the hotel caught fire and was consumed.

The exposition fire apparatus was called into service and was successful in saving the main structures.

Several hotels gone.

Several hotels at Pine Beach were destroyed, among them the Arcade, the Maryland, the Brooklyn, the Royal Pines, the Powhatan and Pine Parks hotels. The Arcade was the largest hotel at Pine Beach and although a temporary structure was splendidly fitted out within and was in competition with the Inside Inn for the better class of patronage. It was well filled at the time. The guests had time to move personal effects but the greater part of the furnishings were lost. The Maryland Hotel was also a large structure and contained a theatre. This building was an entire loss.

The other hotels burned were smaller buildings. Saloons and stores comprised the bulk of the food for the flames.

Started in the Powhatan.

The fire started in the Powhatan Hotel, at Maryland avenue and One Hundredth street. This building was the first to go. The fire crept from building to building along Maryland avenue, which skirts the exposition grounds and reached to the water's edge at 103rd street. It was when the flames reached this point and had burned a clear path that they leaped across Maryland avenue and licked up the outhouse of the Inside Inn. At 102nd street the fire turned the corner and found fuel along that thoroughfare to Virginia avenue. In this direction an open field on which is located the great tent city stopped its progress. The tent city escaped, as did the big Pine Beach Hotel, just beyond and also on the water's edge. All the buildings consumed were frame structures and built for the exposition period. Few of them were put up at much cost. The loss of accommodation is immaterial. The exposition does not suffer in the least.

The hero of the day outside of the exposition firemen whose great work saved the buildings just inside the exposition was A. Abler, of Chicago, who rescued an unknown woman from the Arcade Hotel who would otherwise have perished.

An unknown negro was burned to death near the Hotel Norfolk. The Inside Inn was not burned but its \$200,000 insurance expired last night and the loss would have been complete had it caught.