

EDUCATIONAL EXHIBIT SATISFACTORY

State Superintendent J. Y. Joyner Highly Pleased With Sate's Exhibit

GOVERNOR AND STATE'S ATTORNEYS CONFER

Associate Justice Connors Hears Habeas Corpus Case of State vs. Dr. Rowland and His Wife. Fulfills Attempts of News Paper Photographers to Take Defendants Picture.

Special Correspondence.

Raleigh, N. C., July 22.—Hon. J. Y. Joyner returned from the Jamestown Exposition, where he went as State Superintendent of Public Instruction to see that the finishing touches are put on the North Carolina educational exhibit. He is well pleased with the installation of this exhibit which he pronounces as especially satisfactory, in view of the small expense incurred in its installation. He is delighted with North Carolina's representation in all the departments of the great show, declaring that this State was never so well represented as at any of the great world's fairs. The Jamestown Exposition, he says, is well worth the while of every North Carolinian to visit. In fact, he considers the conception and execution of the great show ideal, an exposition that the whole country may well be proud of.

The Neuse Milling Co., of Smithfield, is chartered with \$50,000 capital, by E. J. Holt and others. Also the Piedmont Sanatorium for the treatment of tuberculosis, incorporated, of Greensboro, incorporated, S. G. Aikens and others; Patterson Young Mercantile Co., China Grove, Rowan county, capital \$40,000 by W. G. Patterson and others.

There was a conference this morning between Governor Glenn and Ex-Gov. Aycock, and E. J. Justice, counsel for the State, regarding the further conduct of his fight against the Southern and Atlantic Coast Line railroad companies to compel them to put in operation the new 21-4 cent rate act, pending the decision of the highest courts as to its constitutionality. No statement is yet given as to it is understood that Governor Glenn will issue an address to the people a little later.

The hearing of the writ of habeas corpus in the sensational case of Dr. David S. Rowland and his wife, Mrs. Lillian Rowland, awaiting trial in the Superior court, September term, for the poisoning of Mrs. Rowland's former husband, Chas. K. Strange, began at eleven o'clock this morning before Associate Justice Henry G. Connor of the Supreme court and the indications are that it will take at least two days to hear the evidence and pass on the case. More than fifty witnesses have been summoned and all that ground that was covered in the coroner's inquest will be gone over again. Then there is understood to be considerable new evidence very damaging in its nature. The case for the State is being conducted by Solicitor Armistead Jones, Col. T. M. Argo, Kilmer Haffer and Walter Clark, Jr., retained by the Brotherhood Locomotive Engineers, Strange having been a member of the brotherhood, and Col. J. C. L. Harris, J. N. Stoddard, Walter Watson, S. C. Ryan and T. B. Hicks for the defense.

An amusing thing in connection with the hearing is that the prisoners in crossing the "bridge of sighs" from the jail to the courtroom have their heads hooded in newspapers to prevent any attempts they fear might be made to catch snap-shots of them. They and their counsel are equally alert during the sittings of court lest some photographer or amateur should snap them unaware. The reason for this is that thus far all attempts to get pictures of Dr. Rowland for newspapers have been in vain.

Tearing the Standard Oil

Special to Journal. Memphis, Tenn., July 22.—Encouraged by the arrest and arraignment of Rockefeller and the Standard Oil crowd in other states, this State has determined to place a damper on the corporations' business in this State. The aggregate of fines assessed against the defendant will be \$50,000, over 2,000 indictments making the Standard Oil crowd defendant have been issued. This beats any record action against this corporation. The Rockefeller will be subpoenaed.

In some countries the rabbit produces seven families in the course of a year.

HABEAS CORPUS AT ASHEVILLE

The Fight Carried Into Judge Pritchard's Court

JUDGE MERRIMON COUNSEL FOR STATE

Hope to Affect a Change in Judge Long's \$30,000 Fine. Bargain County to Vote for Local Tax School District. Southern Railway Strikes Back.

Special Correspondence.

Raleigh, July 20.—This morning Gov. Glenn wired Judge Merrimon to sent the state in the habeas corpus proceedings in United States Judge Pritchard's court at Asheville in the sensational prosecution of the Southern and its agents there, provided the proceedings in Judge Pritchard's court was properly constituted. The governor said he was not sufficiently informed as to the whole case to judge as to the propriety of having the state represent, state in the habeas corpus proceedings. General Counsel Thom and F. N. Busbee of the Southern Railway Co., left last night on a special train for Asheville. They will be there to take a hand in the litigation and it is expected that they will also procure within the next few days some process from Judge Pritchard to stay the execution of the judgment for \$30,000 fine imposed by Judge Long in the state court here.

An auxiliary bill in equity in the pending injunction proceedings in the federal court, Southern Railway Co. vs. the Corporation Commission, attorney general and others to stay the enforcement of the state passenger rate act was served on the Corporation Commission today. This is in connection with the proceeding to make J. A. Spense, Elijah Moffitt, B. C. Beckwith and their clients in contemplated suits against the Southern for penalties, parties to the original injunction case, all being returnable August 12.

The Corporation Commission makes an order extending indefinitely the application of its order of April 9, staying the application of the eight hour law for train telegraph operators on the branches of the Norfolk and Western in North Carolina, Winston-Salem and Price are stations excepted, the company being already maintaining shift service at these stations. The order does not apply to Roanoke, Va., or Crews, Va., from which points the general orders for trains on the two branches are sent out.

There was issued today from the office of Adjutant General T. R. Robertson the general order for the movement of the 1st North Carolina regiment to Camp Glenn, Morehead, for the annual target practice. All the companies of this regiment will start from their home stations during the afternoon of August 8, arriving at Camp Glenn early on the morning of August 9. Target practice will begin as soon as camp is established and continue five days on the state range. Then the regiment will start for the Jamestown Exposition, arriving there on the morning of the morning of the 14th over the Norfolk & Southern, remaining with the other state troops there for the remaining three days of North Carolina week.

Lawn Party at Bridgeton.

The Epworth League, of Bridgeton, M. E. Church, will give a lawn party tonight, Tuesday night, the proceeds to be used to purchase a bell for the church. Bots will run from the foot of Broad street to Bridgeton to accommodate those wishing to participate. Only 15 cents will be charged for round trip, the ferry owners making the reduction as a donation on their part to the proceeds.

State Cases in Police Court.

Dave Bryan is the latest recruit to the blind tiger brigade. He does business on Broad street. James White, colored, stated to the court under oath that he had bought liquor of Bryan. The court found probable cause to hold the defendant under \$100 bond for the trial at the next term of Superior court.

Albert Carroll, was before the court on a warrant charging him with the seizure of two pairs of pants from the store of S. Nasser. He was held under \$50 bond.

John Battle went to jail in default of \$50 bond with which he was taxed because he was charged with carrying concealed weapons.

All the above mentioned cases were tried before Magistrate F. T. Patterson at the city hall.

FIRST BLOOD FOR THE STATE

F. H. Busbee Makes an Able Argument for His Client, The Southern Ry

AN ALIBI FOR AGENT GREEN

E. J. Justice Claims That the Constitutionality of the Rate Law is Not For the Jury But the Judge to Decide, The Southern Railway.

Special Correspondence.

Raleigh, July 19.—The argument by counsel in the famous case of the State vs. Southern Railway Co., and Agent T. E. Green for the application of the criminal penalty for violation of the act of the 1907 legislature prescribing 2 1/2 cents as the maximum passenger rate began in the Wake superior court this morning at 9:30 and continued four hours, and there were three speakers to a side.

The defense was awarded the opening and closing speeches since no evidence for the defense was presented. F. H. Busbee opened for the defense. He congratulated Agent Green that he was now before a jury of his countrymen who would pass on his guilt or innocence. He took the ground that the sole issue before the court is the sale of a ticket to one W. F. Jones at more than the rate established by law. He read and commented on the rate act, holding that if section four is void, the whole indictment falls. He reviewed the whole aspect of the case both in the state and the United States court. He declared it to be unfair for the legislature to attempt to take away property and then prescribe a penalty for legal resistance. This would be confiscatory and therefore violation of the constitution. Numerous authorities were cited.

Mr. Busbee argued that the original injunction regulations were binding on Agent Green before the state court case was instituted and had he violated it he would have been arrested. And now he is under arrest and threatened with the roads for obeying an order of the United States court. He referred to reconstruction days and the reign of Kirk and the course pursued in that time that tried men's souls.

Mr. Busbee took the ground that the evidence was that Mr. Green did not sell the ticket in question after all. That he was out of the city on that afternoon as testified to by Clerk Jones. He argued also that the sale was not actually for more than 2 1/2 cents since the distance was really eight and a half miles and the price paid 25 cents. This whole stir and commotion is really over an amount less than two cents. Mr. Busbee spoke 39 minutes.

E. J. JUSTICE FOR THE STATE.

Speaker of the House of Representatives E. J. Justice was first to speak for the prosecution. He held that it was not incumbent on him to answer in any way the argument of Mr. Busbee as to the constitutionality of the rate act. That was a matter that Judge Long had ruled on already, a question of law for the judge and not for the jury at all. Busbee took issue with him, establishing his contention that Judge Long had not passed on this and that it was competent for argument. He reviewed the resistance of the defense to the present trial and ridiculed the congratulations of Busbee to Agent Green that he was before a jury. He was there mighty unwillingly. He regretted that the Southern Railway did not manifest as much respect and regard for the eleventh or for the fourteenth amendment to the constitution, but was striving in every way possible to tear this case away from the state to the federal court. He argued that the Southern, in order to carry its point and avoid obedience to the state law was consigning its agent to a felon's cell, he commented on the splendid family and high character of Agent Green and charged that it was the Southern railroad that had consigned him to prison in not allowing him to give bond or even go on his personal recognizance. As to any attempt to divert this case to the federal courts he declared that he and associate counsel were ready to meet any move that the defense might make step by step no matter what sort of a writ or process might come. He denied any evidence that the ticket was for more than eight miles and said the jury would remember seeing Busbee take a long blue print from his pocket and he said Mr. Thom looking over it and making calculations and how after that Mr. Thom looked at Mr. Busbee with sad eyes. Mr. Thom appeared to the judge to confine Mr. Jus

tice to the evidence and that there was no evidence of any such performances. There was sharp cross-firing and Justice told the judge he hoped this would not be taken out of his time. Mr. Thom answered that he did not care anything about his time. What he wanted was to get misrepresentations out of his argument. There was a general laugh at the expense of Mr. Justice.

The Corporation Commission gives a hearing to General Manager L. A. Boyd and Attorney J. G. McCormick on the question of tax assessment against the Raleigh & Charleston railroad. The assessment was doubled as compared with the assessment four years ago but on the showing made by Boyd and McCormick the increase was cut in half.

Victor S. Clark, Ph. D. of the United States department of commerce and labor is in the city gathering statistics as to child labor conditions in this state. He says steady improvement is shown in all parts of the state with evident effort on the part of manufacturers to maintain proper attitude. The statement is made from the office of Adjutant General T. R. Robertson here that new supplies are coming into the quartermaster general's department right along now and the various companies in the state will receive their new equipment just as rapidly as they can be made up and packed. Further than that every company will receive new supplies in ample time for the encampment at Jamestown. The shipments will be in regimental order so that Charlotte will be among the first to be supplied.

Ex-Judge Avery for defense declared he came not before the jury to talk of war on state's rights and innovations and conflicting processes. Forty years ago he fought on battle fields for state's rights and snuff battle now afar off. The course being pursued by the defense is in no way an invasion of state's rights as compared with the rights of citizens, individual or corporate. Ex-Gov. Aycock for the prosecution took the ground that the state was standing squarely on its rights. Railroad business is quasi public and state regulate rates within bounds of the state. This North Carolina has done. Said state's rights are not extinct but came out of the civil war very much intact.

We have a remarkable spectacle when poor roads are obeying and rich roads are defying the rate law of the state. Counsel Thom of the Southern made concluding argument for defense. Reviewed the whole course of the Southern in litigation to prevent enforcement of the state rate act, arguing that no other course was open to them in exercise of proper regard for the interests of those who had money invested in the road, and the interests of people who must have facilities for travel and transportation and freight. The whole matter is being adjudicated in another court of competent jurisdiction.

Judge Long proceeded at once with the charge to the jury, this requiring about half an hour. The jury was out a half hour, and at 4:46 o'clock returned a verdict of guilty for both defendants. Judge Long gave Agent Green choice of paying nominal fine and pledging himself not to repeat the offense of which he was convicted or to take the bitter consequences. He was given 40 minutes to decide, court taking recess meantime. On reassembling further time of ten minutes was allowed at the request of Green. Then they came in court and Jas. H. Poul for Green, stated that while Green felt that he was guilty of no moral wrong still he had an aged and very ill mother who could not understand the situation and issues being fought out and fearing that further prosecution of the company would shorten and bitter his life, he would submit to fine, which the judge fixed at \$5. F. H. Busbee for the Southern said his practice was to act always in accord with the law and that in this very matter he had gone into court with competent jurisdiction to be saved from any act that it was believed would be confiscatory of its property. If law was sustained in court of highest authority then the Southern would freely observe it. Judge Long reviewed his course in instituting the proceeding in this court. He expressed the highest regard for the federal courts and regretted that much had been said in this connection about "conflict" between his court and a branch of the federal court. Jurisdiction violations of rate act had been clearly shown in the state court, hence insistence to retain. He regretted that the Southern had seen fit to go into the federal court before putting rate in operation and seeking relief needed in the state court. Other roads were observing the rate. Only the Southern and Atlantic Coast Line were holding out. Conduct like that of the Southern in this case bred anarchy. The law must be enforced. No peace can come to the state until all this spirit is suppressed. Saw no sign of any intention of the Southern to do other than continue to violate the law. So it must take consequences. Let judgment be that the Southern pay a fine of \$50,000 and costs. And assent was issued.

INTERNATIONAL COTTON CONVENTION

A Meeting In The Interest Of The South's Great Agricultural Industry

CITY OF ATLANTA TO BE HOST

The Meeting Includes Cotton Growers, Buyers, Shippers and Manufacturers, In Fact All Who Are In Any Way Interested. At Least A Thousand Will be Present.

Atlanta, Ga., July 19.—Preparations have been made by the city and the state of Georgia for the entertainment next fall of perhaps the largest gathering of cotton growers, spinners and men interested directly or indirectly in cotton the world has ever seen. The delegates who will be present at the International Cotton convention will be royally entertained by the city and state officials.

There will be from 50 to 100 foreign spinners at the convention. These spinners will represent the cotton mill interests of Great Britain and the continent, and the domestic spinners of New England and the south will also attend. There will be besides representatives of all the cotton exchanges, American and foreign, and delegates from the Southern Cotton Association and the Farmers' Union, as well as from the marine insurance companies.

A special train of the Southern railway will bring the delegates from New York to the south. The convention will be held here October 7, 8, and 9. After the convention is concluded the delegates will be taken through the cotton belt on a special train, and they will be shown cotton in every stage from the field and gin to the mills.

The convention is part of a general tendency to bring all cotton interests together for mutual understanding. At the Vienna conference the foreign spinners were invited to come to Atlanta. The Atlanta gathering will be greater and more varied in the interests it represents even than the European conference.

Problems of baling, transportation and marketing of cotton will be discussed at the convention from every viewpoint. The visit to the south will be a revelation to the European spinners, many of whom have never seen the south, the production of its great staple, and the operation of its cotton mills.

Problems of cotton production, President Harris Jordan, of the Southern Cotton Growers' Association announced today that on his tour of the cotton belt, which will begin next week, he will urge reforms in the methods of baling, handling and marketing cotton, so as to place it on a parity with foreign cotton.

He has photographs showing the immaculate condition in which Egyptian and other foreign cotton reaches the spinner. The foreign growers use canvas instead of jute bagging. "I favor the use of cotton bagging on the part of southern farmers," said Mr. Jordan, discussing this phase of cotton. "Cotton bagging not only holds the marks better, being more closely woven than the jute, but it opens a new demand for cotton."

Mr. Jordan says that he expects that cotton next fall will bring the highest price in 20 years, and he will urge the farmers in his speeches to keep to as slow a movement of the crop as possible to maintain good prices. He will also comment on what he saw in Europe where he not only attended the spinners conference at Vienna, but also visited the large mill centers.

Mr. Jordan will open his campaign in North and South Carolina. On July 19 he will speak at Garner, N. C., and at Raleigh on July 20. He will speak also at Union, S. C., on July 25, at Spartanburg on July 30, and at Gaffney on July 31.

Leaving those states, President Jordan will address meetings in two of the largest concentrating points in Texas. Then he will go to Arkansas, thence to Louisiana, then to Mississippi and Alabama and will finish his tour in Georgia in the latter part of August.

President Jordan said that he expected good crowds at the meeting. He will be accompanied by General Organizer E. B. Smith, of South Carolina, and he has the co-operation of the state presidents and the members of the executive committee of the association.

Mr. Jordan said that it was planned to have the delegates to the fall convention call on President Roosevelt and the secretary of state when they reached Washington. Present plans point to a royal reception throughout the south to the visitors.

PRESIDENT FINLEY'S STATEMENT

Issues a Card to the Public Putting the Case From Railroads Standpoint

NO REVENUE IN THE NEW RATE

Will Cheerfully Comply With the Law When It Has Been Ratified by the United States Supreme Court Right to Sue in the Federal Court. Bound to Protect Its Property.

President W. W. Findley, of the Southern road has issued a circular manifesto relating to the incidents of the past week with which the public are familiar. The circular is published of course in justification of the corporation's acts in refusing to comply with the rate law.

The circular states in the first place that the rate is so low as to make confiscation absolute. The Supreme court has decided in cases of this kind that it is competent for the railroad company to file suit in the Federal court, such a body as the North Carolina Corporation Commission and have a comprehensive enquiry made into the situation, and determine in an orderly way whether or not such an act as the one now in question is violative of the constitution of the United States as a deprivation of the property of the company without compensation, and as denying to the railroad company equal protection of the laws.

The Southern Railway Co., it says, further, is bound to protect its property, not only in the interest of its owners and creditors, but also in the interest of the whole public. It has a right and a duty to appeal to the law for its protection. It is not in the right or interest of the people of North Carolina that the ability of the transportation companies to perform the public service and to enlarge and increase the means of serving passengers and shippers shall be destroyed and diminished. It has a contradiction in terms to say of any person or corporation that filing a suit in court, and asking for an orderly and judicial determination of the very right of any matter, it itself a violation or defiance of law. If an appeal to a court of justice is a violation of law, then all our courts should come to an end.

Large Crowd at Morehead.

The Atlantic Hotel at Morehead was taxed to its capacity Saturday night and Sunday. Every room in the hotel was occupied, and in order to accommodate the great throng, cots had to be provided in the different parlors and writing rooms.

There is one unpleasant feature about Morehead, and that is the rigid law that is enforced, regarding the sale of cold drinks on Sunday. It is utterly impossible to procure anything in that line and many were disgusted at the idea that a summer resort should be forced to have a law enacted whereby strangers especially are forced to go thirsty all day. Abolish the law or else make no claim and enticements to visitors to seek Morehead for pleasure and comfort.

The Permanent Show.

The Bijou corner South Front and Craven streets will open Wednesday evening, July 24th, at 8 o'clock with continuous moving picture exhibitions, giving modest and pleasing entertainment for all, young and old. Admission 5 cents, adults and children.

Mrs. Erdman and son Harry, of Baltimore, are visiting in the city. Mrs. Erdman was a resident of New Bern fourteen years ago.

Among the passengers to Morehead Sunday, were Mr. and Mrs. C. B. Hill, Mr. and Mrs. R. J. Russell; Miss Annie Sharpe and Mr. James Rencher. Miss Annie Sharpe, who has been the guest of Mr. and Mrs. R. J. Russell, on Metcalf street, left by the Norfolk, and will visit the Jamestown Exposition, and will visit in Washington, D. C., Cincinnati, Ohio, before returning to her home in Duluth, Minn.

Sunday School Picnic.

Deppe, N. C., July 5.—The Sunday school of Capenham Baptist church, Grants Creek neighborhood, Onslow county, will give their annual picnic at the church, Saturday, August 3rd. An invitation is extended to all who will join us, and a cordial welcome will be given. Those who can are requested bring well filled baskets. W. H. BURANKE, Superintendent.

MEMBER OF ROYALTY AT JAMESTOWN

Prince William Second Son of Heir Apparent of Swedish Throne to visit America

HE WILL ARRIVE AUGUST 19

And Will be Given the Formal Social Attention Due One of His Rank. Sixty Naval Cadets Form His Body Guard. Will Call On Roosevelt and Visit Cities. Jamestown Exposition, July 20.—His Royal Highness, Prince Wilhelm, second son of Crown Prince Gustave, and grandson of King Oscar, of Sweden, will arrive in Hampton Roads, on the cruiser, "Fulgur," August 19, and will remain at the Exposition for three days, August 19, 20 and 21. The United States navy will join in the reception and for the three days that the prince is here he will receive attention which will be royal.

The 19th will be devoted to the paying and receiving of calls, to be followed in the evening by a dinner at the Hotel Chamberlain, given by the Swedish minister. On the 20th he will be tendered a banquet at the Virginia club, Norfolk, Virginia, by the Swedish Vice Consul, Henning Fernstrom. The arrangement for the program on the 21 is yet to be made, but which will no doubt be a cadet of receptions and calls.

There are 60 naval cadets accompanying the "Salor Prince," and they will be given a grand ball on the night of August 20 in the convention hall, Jamestown Exposition.

At the close of the Prince's visit to the Exposition, the cadets will leave for Washington, D. C., and his royal highness will go to Oyster Bay, thence to Newport; Providence and New York. While at the latter place he will participate in a dinner given by the Swedes at the Hotel Astor on the 29th of August. At this celebration there will be six hundred students from Linsburg college, Linsburg, Kansas, who will also participate in the exercises. Every year these students hold a seafaring and great efforts will be made by the Exposition officials to have them visit the Exposition during the Prince's stay to participate in the musical features.

River Rising Damaging Property.

Special to Journal. Kansas City, Mo., July 19.—The Mississippi river has risen over its banks and is drowning out the lower part of the city. A great deal of property has been destroyed.

Sacred Documents Found.

Special to Journal. Alexandria, Egypt, July 20.—While searching in the ruins of Eufaula, one of the oldest localities documents said to have contained the words of Christ and other articles whose antiquity are undoubted were found. Archaeologists are greatly pleased with the find.

Greece is said to be the poorest country of Europe. Her total wealth amounts to \$1,000,000,000, or about half that of Switzerland.

Witnesses On Peonage.

M. R. Hyman, deputy sheriff of Pitt county, and J. K. Brock, deputy U. S. marshal, brought a crowd of 11 prisoners to the city this morning and lodged them at Sheriff Nunn's county hotel for dinner. They will leave with the men on the 5 o'clock train, for Beaufort, where they will be lodged in jail until a special term of the federal court is held there on the 6th of August. We learn that the prisoners are Swedes that are being held as witnesses in the case of U. S. vs. E. A. Kline in default of appearance bonds. Mr. Kline, a contractor on the construction of the N. & R. R. near Greenville procured a lot of Swede immigrants from a bureau in New York, and paid passage for them to come to North Carolina. These Swedes grew tired of the job and left upon Mr. Kline indicted them under the Usell act. They were lodged in jail in Greenville, until they agreed to go back to work. Then the United States commissioner indicted Kline for peonage and held the witnesses for court. Judge Funnell set a special term to be held at Beaufort, August 6th, and ordered the witnesses to be sent there to jail. The case is attracting considerable interest and seems to have reached national importance. District Attorney Skinner will be assisted in the prosecution by one of the attorneys from the attorney general's office in Washington—Elliott Foss Press.