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NO. 10.

SOUTH CAROLINA AT JAMESTOWN

Citizens of Palmetto State Capture the Exposition City

WAS GLORIOUS OCCASION

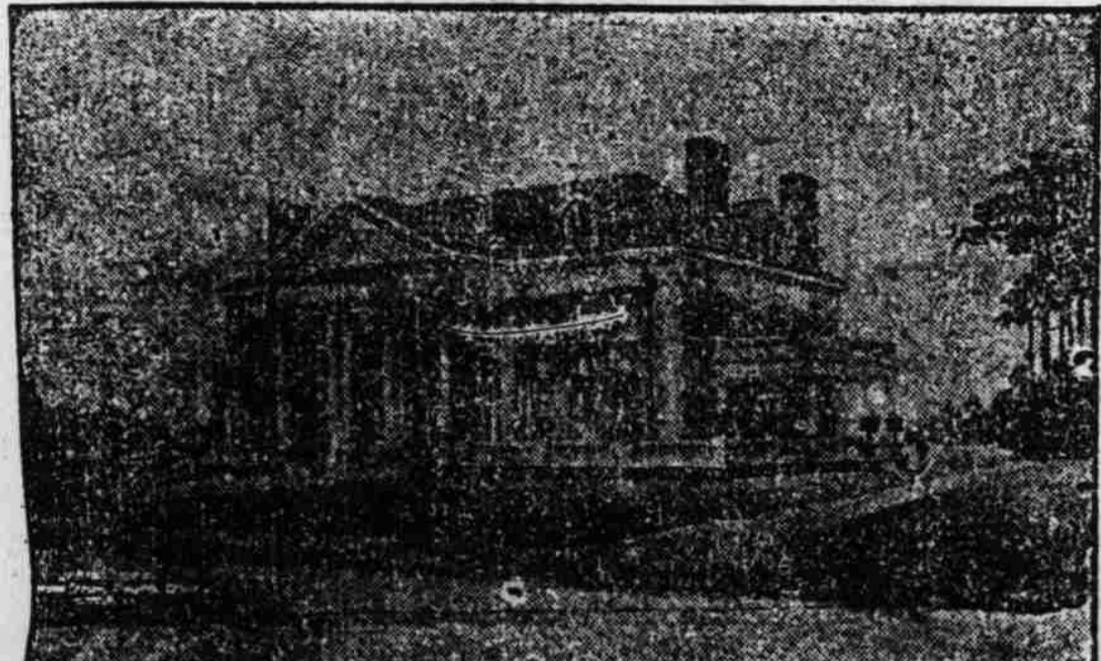
Addresses of Day Received With Great Enthusiasm, Capt. W. E. Gonzales Deploring Fact That State Has No Building and Thanking Governor Swanson for Use of Virginia Building—Celebration of Day Continued at Exhibit Palace at Conclusion of Official Ceremonies—South Carolina Raised Tea, Poured by Official Ladies, Served All Callers by Japanese Girls.

Norfolk, Va., Special.—Friday was observed as South Carolina Day at the Jamestown Exposition with Governor Ansel, his staff, the South Carolina State commission, the Second Regiment of Infantry, South Carolina National Guard and several hundred

my province to harmonize the apparent contradiction. The South Carolina commission must deal more with the present.

"In these times of peace we cannot indulge in Boston Tea Parties, or live entirely within the reflected halo of Moultrie or Sumter, but it is something to have the only tea gardens in America; it is more to be endeavoring by precept and example to elevate the standard of our citizenship."

Mr. Gonzales deplored the fact that South Carolina is without a building at the Exposition, and thanked Governor Swanson for the use of the Virginia State building, where he said, the South Carolina commission had violated a time honored tradition by inviting the Governor of South Carolina and the Governor of North Carolina to "clink glasses of water."

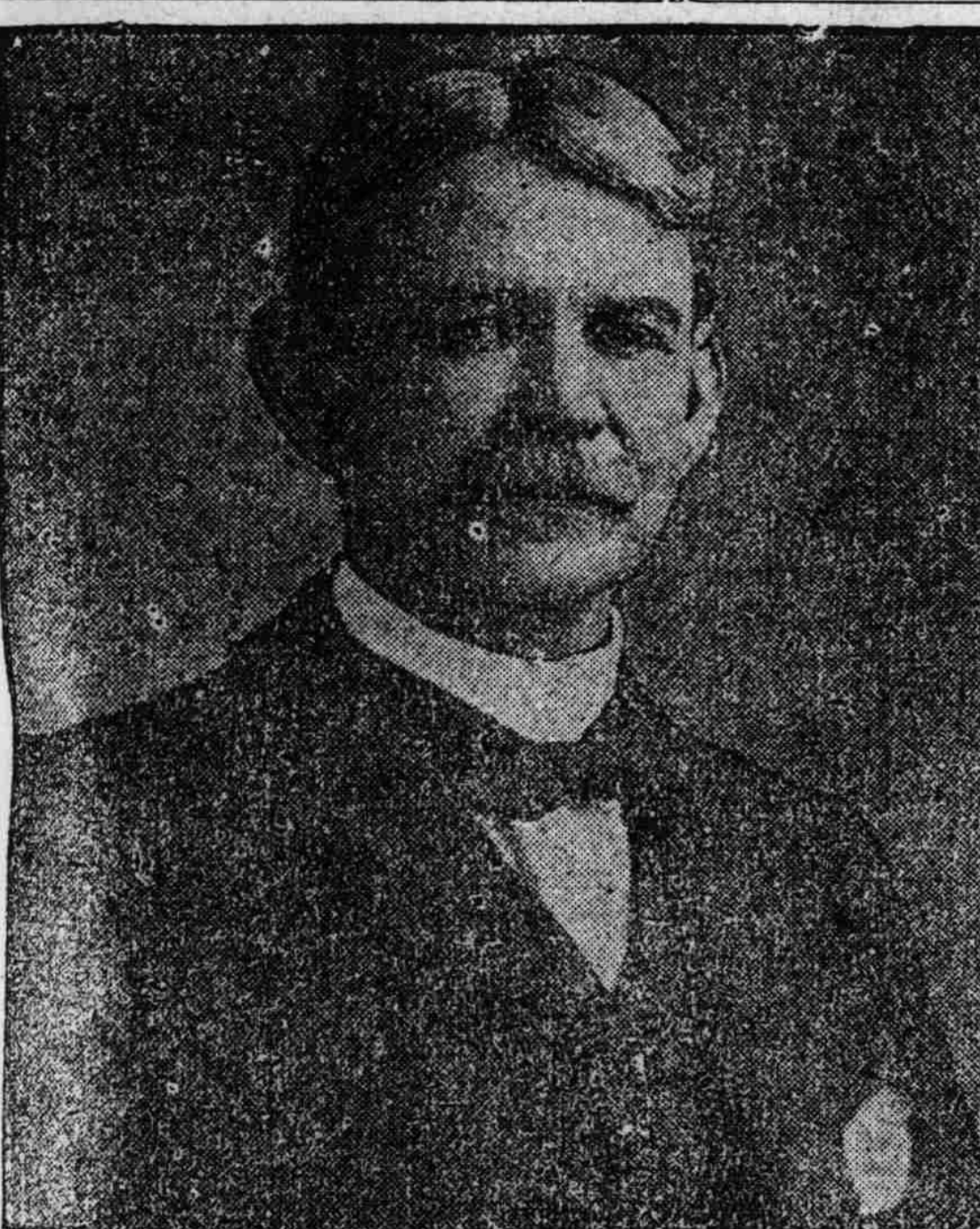


THE VIRGINIA BUILDING.

South Carolinians present to participate in the events on the day's programme. The official exercises occurred in the main auditorium building and were attended by hundreds of visiting and resident South Carolinians. The principal address of the day was made by Capt. William E. Gonzales of The Columbia State, Columbia, S. C., Gov. Martin F. Ansel, President Harry St. George Tucker of the Jamestown Exposition, and Hon. Walter Hazard, of Georgetown, S. C.

In referring to the South Carolina exhibit at the exposition Mr. Gonzales said:

"If that which has been accomplished here is gratifying to South Carolinians, if in viewing their State's first appearance at a great exposition they are given a larger conception of that State's resources and made to appreciate more fully her industrial victories, if by the stirring of their pride these sons and daughters are encouraged to greater endeavor and achievements, then the exhibit



H. ST. GEORGE TUCKER, President of the Exposition.

The addresses were notable and were received with great enthusiasm. W. E. Gonzales, president of the South Carolina commission to the Jamestown Exposition, spoke in part as follows:

"Our State may be charged with inconsistency in celebrating the landing of the English at Jamestown three centuries ago, while at the same time glorifying at the inhospitality of Col. William Moultrie in his little fort of Palmetto logs to the advances of Sir Peter Parker on the 28th of June, 1776. But it does not come within

it is its justification and those that created it are rewarded.

Following the official ceremonies the celebration of the day was continued at the South Carolina State exhibit in the State's exhibit palace where the Palmetto State has an exceptionally fine exhibit of its products, occupying almost one entire side of the palace. South Carolina raised tea was served to all callers, being poured by ladies of the official South Carolina party and served by Japanese girls.

ACQUITTAL OF JUDGE LOVING

Acquitted of the Killing of Theodore Estes.

VERDICT BASED ON INSANITY

Every Hand of the Jury Went Up in Response to Foreman's Call for Acquittal Verdict Returned in 48 Minutes After Jury Retired.

Houston, Va., Special.—After being in the jury room 45 minutes the jury Saturday evening returned a verdict of "not guilty" in the case of former Judge William G. Loving, of Nelson county, and manager of the Virginia estate of Thomas F. Ryan, who was placed on trial here last Monday before the Circuit Court of Hanover, Judge William R. Barksdale presiding, for the murder of Theodore Estes, son of Sheriff M. A. Estes, of Nelson county. Judge Loving shot and killed young Estes on April 22 at Oak Ridge, following a buggy ride Estes had taken with the judge's daughter, Miss Elizabeth Loving, who told her father that her escort had drugged and assaulted her.

The jury retired at 4:45 o'clock and from that time until the verdict was returned the defendant remained in the seat he had occupied since the trial began, and surrounded by the members of his immediate family with the exception of his daughter Elizabeth, who was not present today. At 5:43 o'clock a loud knock was heard on the door of the jury room and Judge Barksdale, who had taken his seat on the bench ordered the sheriff to preserve order and cautioned the large crowd that had remained to not give vent to their emotions when the verdict was announced. The verdict of acquittal was read by Foreman B. S. McGraw. Judge Barksdale thanked the jurors for their attendance upon court at great sacrifices. He declared that he believed the verdict was in accordance with the conscientious views of the jury.

After the jury had been discharged, Judge Loving, his wife and other relatives shook hands with and thanked each juror.

Tears streamed from the eyes of the defendant and his wife. Judge Loving was congratulated by many of his friends present, though in accordance with the warning of Judge Barksdale, there was no noisy demonstration.

Insanity Basis of Verdict.

Foreman McCraw, a merchant and farmer, said that when the jurors entered the room, one of them did not exactly understand all of the instructions of the court, and these were read to him. Mr. McCraw said that when he called for a vote, he requested all who favored the acquittal of the defendant to hold up their right hand. On the first ballot every hand promptly went up. When asked what the basis of the verdict was he said "Insanity," and that he and the other members of the jury believed that Judge Loving was out of his mind at the time he killed young Estes. The stress, he said, had brought on by the story told him by his daughter.

No Assault Committed.

The following statement was given out by the counsel for Judge Loving:

"Within half an hour after the rendition of the verdict by the jury and the adjournment of court counsel for Judge Loving were called on by two of the jury who stated that they had been appointed a committee representing the entire jury to convey to Judge Loving and his wife while they believed that Miss Loving's statement on the witness stand of what she had told her father was a true account of what she had communicated to him yet not for a moment did the jury entertain the opinion that an actual assault had been committed by the deceased upon the young lady, but on the contrary they were all fully satisfied beyond all doubt that no actual assault had been committed, but that there had been an attempted assault. Counsel for Judge Loving upon being interviewed in this connection said: 'The conclusion of the jury to the effect that no assault was committed was absolutely correct.'"

Quick Action Saved the Town.

Fairburn, Special.—Thursday night the ceiling of the Masonic hall, on the third floor of the Young building, in the center of town caught on fire from a hanging lamp. The prompt action and presence of mind of Hon. John T. Longino, Messrs. J. L. Looney, Warner Vickers, and N. F. Smith, saved the building and perhaps the town. Fairburn has no waterworks, and had there been any lack of promptness and precision, the town would have been a smoking ruin today.

21-2 CENT RATE ENJOINED

Judge Pritchard Announces His Decision in the Railroad Rates Cases and Enjoins the Corporation Commission From Putting New Schedule Into Effect.

Asheville, N. C., Special.—Saturday was the most interesting day of all in the hearings before Judge Pritchard in the suits brought by the Southern Railway Company and other railroad corporations to enjoin the corporation commission of North Carolina from printing and putting into effect the new rate and passenger fares law passed by the Legislature of 1907.

At the conclusion of argument Saturday morning by Walter E. Daniel, for the defendants in the suit of the stockholders of the Atlantic Coast Line Railway against the corporation commission, Judge Pritchard announced his decision in the case of the Southern Railway Company against the commission which was concluded Thursday afternoon. The court continues the restraining order pending a final hearing and refers the matter to Judge Montgomery, standing master for the eastern district, to take testimony and report his findings of facts and conclusions of law to the court at Asheville the latter part of September.

Judge Pritchard's Memorandum.

"It is charged in the bill filed by the complainant that the Legislature of North Carolina, at its recent session, passed an act regulating freight and passenger rates and that by virtue of the provisions of said act complainant is about to be deprived of its property without due process of law. The complainant seeks to enjoin the enforcement of certain freight and passenger rates prescribing the same is repugnant to the constitution of the United States. It is contended that the lapse of any considerable time would expose complainant to innumerable suits by shippers and the traveling public as well as subject it to the penalties enumerated in the statute.

"Among other things the complainant prays for an injunction against the railroad commissioners, the Attorney General during the pendency of this cause. On the 8th day of May, 1907, an order was entered restraining the defendants from enforcing the provisions of the aforesaid act and at that time notice was issued to the defendants to appear before me on the 26th day of this month and show cause why the injunction thus granted should not be continued until the final hearing.

"The defendants insist first that this is a suit against the State of North Carolina and that the court cannot take jurisdiction of the same consistently with the eleventh amendment to the constitution of the United States.

"Second. It is also insisted that the complainant has not shown facts sufficient to justify the court in continuing the injunction until the hearing.

"Much has been properly said by counsel representing the State in regard to the sovereignty of the State and its right to deal with this question through its Legislature. That the Legislature of the State has the authority within certain limitations to fix freight and passenger rates is undoubtedly true, and is universally recognized by the Federal Courts. The courts of the United States have at all times acknowledged and respected the power of the State in the administration and enforcement of its laws within the limitation of its constitution is true, it is equally important that any right guaranteed to a citizen by the constitution of the United States should be fairly and impartially enforced whenever presented to the United States courts for consideration.

Bonds Required of the Roads.

Relative to this matter of prospective penalty suits and jurisdiction Judge Pritchard this afternoon from the bench submitted the following remarks which were listened to with interest: "In view of the discussion between Judge Shepherd and Captain Thom this morning in regard to the enforcement of the restraining order which I have just entered, I deem it my duty to say that in continuing this order, I have adopted ample and sufficient means to protect the interests of the public to the fullest extent by requiring the complainant to file a bond to guarantee the payment into the registry of the court a sum of money equal to the difference between the present rate and the proposed rate in the event that the act of the Legislature should be declared constitutional. I have not passed upon the question as to whether the act of the Legislature is constitutional, and cannot do so until the evidence taken by the master

shall have been reported to me together with his findings of fact.

"The court having assumed jurisdiction of the parties, as well as the subject matter of the controversy, it necessarily follows that it has the power to preserve and protect its jurisdiction until there shall be a final determination of the matter in issue. Under the circumstances, it is the duty of law abiding citizens to refrain from interfering in anywise with the order restraining the enforcement of the act, the constitutionality of which is involved in this controversy. I cannot believe that any citizen of North Carolina will undertake to interfere or otherwise attempt to hinder or obstruct the court during the progress of this trial. The people of this State are noted for their conservatism, and I am sure that they will in the future, as in the past, conduct themselves so as to maintain the high reputation which they have justly earned for being patriotic and law-abiding under any and all circumstances.

A North Carolina Tragedy.

Bakersville, N. C., Special.—J. C. Randolph killed Anderson Burleson at Glen Ayre Thursday afternoon. Mr. Randolph was tax-lister and Mr. Burleson accused him of listing his property too high. Burleson slapped Randolph a time or two with open hand and then struck him on the side of the head with his fist. Mr. Randolph drew a pocket knife and cut Burleson three or four times, killing him instantly.

Sues for Wife's Recovery.

Augusta, Special.—A. L. Anderson has begun habeas corpus proceedings for the recovery of his wife of a few hours, who was taken from him at the point of a pistol by the irate father of the bride, D. E. Morgan. The matrimonial ambitions of the young couple had been forcibly vetoed by the father, but while he was serving on the jury Anderson and Miss Morgan went to a minister and were married.

Torn Up By Bulldog.

Atlanta, Special.—Little Berkham, aged 11 years, son of Mrs. Charles I. Heath, of 187 South Forsyth street, lies at his home his life hanging by a thread, as a result of wounds inflicted by a vicious bulldog in East Point. The dog was the property of Fred Clemment, foreman in one of the departments of the Blount Buggy Company, and it took four men to make the dog turn the little fellow loose and five shots to kill the dog.

News Notes.

An alleged plot to steal \$50,000,000 of Government funds is reported from Russia.

The Fredericksburg Democratic Committee has fixed upon August 6 as the time for holding the primary to nominate a candidate for the House of Delegates.

Lawrence Wallace and Fred Lowe while bathing in the James river immediately below the Richmond Cedar Works found the body of a baby boy which had been nailed up in a box and set adrift in the river.

The Interstate Commerce Commission and the Department of Justice could not employ their time and talents to better advantage than to call railroad companies to account for wrecks caused by defective equipment, overworked crews, or other factors which might bring the offenders within reach of the law, insists the Washington Post. The public is not sufficiently protected by individual damage suits, occurring after the disaster. The government should be able, somehow, to reach and punish railroad companies for permitting preventable wrecks involving the loss of human life. If the law is not now sufficiently drastic when rigidly enforced, public sentiment would unquestionably approve a law which would inspire a wholesome terror among corporations guilty of wholesale homicide.

Charged With Peonage.

Greenville, N. C., Special.—At the instance of Special Agent Hoyt, of the department of justice, warrants were sworn out before United States Commissioner King, of this place against E. A. Kline, a contractor on the Raleigh & Pamlico branch of the Norfolk & Southern Railroad for peonage, in violation of Section 5526 of the revised statutes of the United States. The basis of the prosecution is the arresting and returning to the State on four different occasions of a number of foreigners working under Kline in the construction of the railroad.

Thousands of Japs Waiting to Slip Into America.

San Antonio, Tex., Special.—Immigration officials here have received information that there are 4,000 Japanese in Mexico awaiting a chance to slip into the United States. The news comes from the construction camps below Tuxpam on the Maricampillo extension of the Central Railroad. Already 800 Japanese laborers have left the work, deserting in bunches with the intention of entering the United States.

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