

LOVING ACQUITTED

Unwritten Law Saves Slayer of Daughter's Assailant.

VERDICT SOON REACHED

Jury Could Not Resist Tugging Appeals of Defendant's Attorneys for Honor of Women and Their Finding Was Unanimous.

After being in the jury room thirty minutes the jury, at Houston, Va., 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 on trial for a week before the circuit court of Halifax, Judge William R. Barksdale presiding, for the murder of Theodore Estes, son of Sheriff M. K. 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 had told her father that her escort had drugged and assaulted her. The verdict of acquittal was read by Foreman B. S. McCraw. Judge Barksdale thanked the jurors for the attendance upon the court at great sacrifice. He declared that he believed the verdict was in accordance with the conscientious views of the jury.

The last day of the trial was spent in argument, the forenoon session being taken up by counsel for the defense, and the closing speech for the prosecution being made in the afternoon by Commonwealth Attorney Bouldin. Attorneys Barksdale, Moore and Lee, for the defense, spoke practically along the same lines. They pleaded for acquittal on the grounds that Judge Loving was insane at the time he killed Estes, having lost control of himself upon hearing the story of the ruin of his daughter.

The real basis of the argument of the defense, however, was the "unwritten law." They spoke of the preservation of the sanctity of Virginia homes, declaring that any man who invaded the threshold and spoiled a woman had forfeited his claim on society. On this point, Mr. Moore said: "You would not raise the moral standard or elevate the womanhood of Virginia by conviction. Don't put the badge of dishonor on him by sending him to the penitentiary. Don't let it go out to the world that a jury of Virginia gentlemen put the felon's stripes on a Virginia gentleman."

Mr. Lee appealed strongly to the sympathies of the jury with both words and tears. He said:

"Sweep from Virginia the chaste homes of the citizens, and what remains of the state? The purity and the dignity of our homes is the sweetest thing in life in Virginia. It is the gift of God. When one invades our homes, he strikes society and the body politic the deadliest blow. You all know how love for your wife and how the smile of a daughter can bring out from your nature the best there is in it."

THREE SWING FROM GALLOWS.

Convicts Who Murdered Prison Guard Drop Together from Same Platform.

Harry Vaughan and Edward Raymond, convicts sentenced to the penitentiary from St. Louis, and George Ryan, a convict sentenced from Kansas City, were hanged in the county jail at Jefferson City, Mo., for the killing of Prison Guard John Clay during a concerted attempt to escape from the penitentiary on the afternoon of November 24, 1904.

The three were hanged at the same moment. No statement was made from the scaffold.

GERMANS ON THE WAY.

Hundred Immigrants Arrive in New York for Alabama.

It is reported in Montgomery that State Immigration Agent DeHoll, who has been in foreign countries in search of immigrants, has arrived in New York with one hundred Germans, who will be taken to the Birmingham district. Governor Comer said that he had no facts as yet about the trip, but will be able to give some out when he receives further report from the agent.

NEGROES ROAST ROOSEVELT

At Tenth Annual Meeting of the Afro-American Council.

President Roosevelt and members of his official family were handled without gloves by speakers at the tenth annual meeting of the Afro-American council, which began a three days' convention in Baltimore Wednesday. Senator Forsaker was a favorite and every mention of his name was received with vociferous applause.

HOLMES MAKES DENIAL

Takes the Stand in His Own Behalf in Cotton Leak Case—Theodore Price is Mentioned.

At the beginning of Wednesday's sitting of the criminal court at Washington in the "cotton leak" case against former Associate Statistician Holmes, Judge Stafford announced his decision, overruling the motion made by Holmes' counsel that the court direct the jury to bring in a verdict of acquittal on the ground that there is no law covering the offense.

A number of Washington business men were called and questioned as to the personal and business standing of Holmes. Some of them said they had known him for twenty-five or thirty years, and all declared his reputation, so far as they knew, to be good.

Holmes was called and interrogated as to the facts relative to the transactions leading to his discharge from the position of associate statistician and his subsequent arrest.

He was first questioned concerning his relations with Cotton Broker T. H. Price of New York, whom he first met at the agricultural department in 1903. The first interview, Holmes said, Price had discussed the cotton crop, predicting a large yield, but nothing else had taken place. Later, in March, or April, 1905, Price had written a letter to Hyde asking him to recommend some one to take charge of his (Price's) statistical work. On the strength of this letter, Hyde, Holmes and White had entered into a tentative agreement to resign their respective offices and go to New York and enter upon the publication of a crop report on condition that they secure Price's backing.

The witness and Hyde had presented the matter to Price, and it was still pending in June when Hyde and Holmes severed their connection with the agricultural department. Letters from Price were read to show that the broker had made a strenuous effort to have the cotton report for December, 1903, show a large yield, whereas Van Riper had said that Price's concern was to have it made small.

The witness related the details of the sale of his Idaho mining interest to Van Riper in 1904, saying that he had been introduced by Peckham to Van Riper "as a remarkably rich man" who was dealing in mining claims.

Holmes said that he had received \$73,000 for his interest in the Idaho mine, but that at Van Riper's request the consideration had been fixed in the deed at \$40,000.

"I neither signaled nor attempted to signal to Hawes nor to any one else at any time the condition of the crop report," said Holmes in reply to a question concerning Van Riper's testimony to the effect that he had agreed to do so and arrange the window shades in his office as to indicate the situation.

He also said that the crop reports from the fields upon which the department's finals is predicated were not opened until the day of the promulgation of the official statement, rendering it impossible to secure accurate information prior to that date. He added that there never had been a time from September, 1904, to January, 1905, when he had advance information concerning the state and special report. Court then adjourned for the day.

COSTLY BLAZE AT JAMESTOWN.

Hotels and Amusement Places Adjoining Exposition Gutted by Flames.

Fire early Wednesday at Pine Beach—a resort filled with hotels of varying sizes, restaurants, stores and places of amusement just outside the Jamestown exposition grounds—destroyed frame structures, covering a large area in the territory immediately on the outside of the western fence of the exposition grounds.

The loss is placed at between \$200,000 and \$250,000 with about 20 per cent insurance.

WILL CONTEST NEGRO'S SEAT.

Fight to Be Made on Only Colored Member of Georgia Legislature.

The seat of the only negro in the Georgia legislature will be hotly contested, and a strong effort will be made to give McIntosh county the first white representative she has had in several years.

W. H. Rogers is the negro member, and Captain George E. Atwood, a leading citizen, is the contestant.

It is claimed that the recent election in McIntosh county, which resulted in the re-election of the negro, was irregular.

FORTY CENTS PER POUND

Paid for First Bale of New Cotton on New York Exchange.

The first bale of new cotton to arrive at New York was sold at auction in front of the cotton exchange. Latham, Alexander & Co. were the successful bidders. The purchase price was 40 cents per pound.

RAILROAD IS SOLD

Central of Georgia Holdings Placed in New Hands.

NO CHANGE IN POLICY

Varying Rumors Finally Culminate in Fact That Deal Was Carried Through Status is Mystifying.

Rumors which have been freely circulated for the past few days have finally culminated in the definite announcement that the controlling interest in the Central of Georgia railway has been sold, or transferred, to Oakleigh Thorne, president of the Trust Company of America, and Marsden J. Perry, president of the Union Trust company of Providence, R. I.

According to New York dispatches the Southern arranged the transfer. It was formally announced Thursday by Adrian H. Joline, chairman of the Richmond Terminal reorganization committee, that the committee has sold to Thorne and Perry all the capital stock of the Central owned by said committee, and which was received by that committee in 1894-5 upon the consummation of the Richmond Terminal reorganization, and after the reorganization of the Georgia Central Railroad as a banking company.

The proceeds of the sale are to be paid over to the Southern Railway company, which, as stated in the testimony given by the late President Spencer and now on file at Macon, was entitled to the financial benefit of any sale of the stock, though it did not assume to control the railroad.

As part of their purchase Messrs. Thorne and Perry have declared their purpose to be to operate and to develop the system as an independent one for the benefit of its stockholders and the public served thereby, and, accordingly, they will, for at least two years, continue to hold sixty per cent of the stock.

The control of the Central will eventually pass to the Rock Island-Frisco interests, if predictions made in railroad circles prove well founded.

It is said that Messrs. Thorne and Perry purchased the road with an understanding between themselves and the Rock Island interests that formal control should pass to the St. Louis and San Francisco after the expiration of the two years during which the present holders of the road have agreed to keep it as an independent line.

Mr. Thorne would neither confirm nor deny the report. People could draw what inference they would, he said. It was pointed out that close relations have existed between Mr. Thorne and B. F. Yoakum, who is the guiding spirit in the affairs of the Rock Island-Frisco system. Mr. Yoakum is a director in the Trust Company of America of which Mr. Thorne is president, and in other ways Mr. Thorne and Mr. Yoakum have co-operated in business undertakings.

At the session of the directors of the Central of Georgia in Macon a few days ago, Charles Steele resigned as a member of the board, George M. Havel resigned last fall and another vacancy was created by the death of Samuel Spencer. These three vacancies were filled by the election of M. J. Perry, W. F. Sheehan and Oakleigh Thorne.

Following this meeting President Hanson said that the sale of the road would not mean any change in its officers and that he would remain as president. He said that the same policies would prevail and all pains would be taken to keep the property abreast of the times.

The operations of the road will be investigated by the new officers who are expected to come south in the very near future.

PEACE BY ARBITRATION

Is Sentiment of All Delegates to The Hague Conference.

All the delegates to the peace conference at The Hague agree that the first important sitting will deal with arbitration, which many of the powers, chiefly the United States, desire to strengthen to such a point as to make it become an institution that will gradually lead to the abolition of war among nations, as confidence in the justice of ordinary courts gradually led to the abolition of dueling among citizens.

FIVE HUNDRED CREMATED.

Host of Chinese Caught in Burning Theatre and Roasted to Death.

A horrible holocaust is reported in mail advices from Hong Kong, where five hundred Chinese of the audience of a Chinese theater, and ten of the actors were burned to death when the native theater was destroyed by fire. The flames spread rapidly and the building collapsed.

AS STRICT UNION MINERS

Pinkerton Detectives Posed in Order to Secure Evidence Against Western Labor Federation.

In court at Boise Monday, Morris Friedman, the young Russian stenographer, who left the employ of the Pinkerton agency at Denver to write a book in which he published a certain correspondence of the agency that passed through his hands, was again the principal figure at the Steunenberg murder trial. More than half of the court's day was occupied in reading to the jury copies of the document which Friedman took from the Pinkerton records. These were chiefly daily reports of secret agents operating as spies among the unions and union men at Cripple Creek, Victor, Globeville, Colorado City, Trinidad and Denver show a complete surveillance of the Western Federation of Miners and United Mine Workers of America during the labor troubles in Colorado in 1903-04. Pinkerton men sat in the federation convention in Denver in 1904, reporting all proceedings.

None of the reports that were produced by Friedman and read to the jury by Clarence Darrow contained other than general references to the collateral issues of the trial, but they were offered in substantiation of the counter-claim of the defense that the Pinkerton agency conspired for the destruction of the Western Federation of Miners and the lives of its leaders.

The prosecution offered no opposition to any feature of Friedman's testimony and no objection to the introduction of any one of the documents that the defense obtained through him, and when Friedman was handed over for cross-examination endeavored to ascertain if Friedman had any more reports or letters bearing on the general issue.

It attacked Friedman on the ground that he had played the Pinkertons false, had violated his pledge to them and had stolen the documents which he produced, but the witness would not admit that he had stolen the papers and would not allow Senator Borah to call him a "Pinkerton." He insisted that it was not stealing to take information that had been obtained by fraud and deceit of secret service men and declared that his purpose in which he informed the people of the methods of the agency fully justified anything that he had done.

He said that if he had known that this trial was coming up he would have taken more letters and reports. Senator Borah pressed him to tell just what records there were in the Pinkerton office at Denver bearing directly on this case, and while the witness said he could not tell him of any particular one, he remembered many letters written by Detective McPartland, in which all manner of crimes were laid at the door of the Western Federation of Miners.

Another interesting witness was Jas. I. Wallace, an attorney of Cripple Creek, who served with the militia, first as a private and then as a lieutenant during the strike of 1903-04. He related several instances as tending to show the misuse of the powers of the militia by the mine owners; gave the criminal records of some of the gun fighters imported by the mine owners; told of the working of the card system; recited the circumstances connected with the looting of the union stores and a newspaper office.

JAPS READY TO SNEAK IN.

Four Thousand in Mexico Awaiting Chance to Slip Over Line.

Immigration officials at San Antonio have received information that there are four thousand Japanese in Mexico awaiting a chance to slip into the United States. The news comes from the construction camps on the Manzanillo extension of the Central railroad. Already eight hundred Japanese laborers have left the work with the intention of entering the United States.

FIRST PROTEST REGISTERED.

Legislature Memorialized by Atlanta Council Anent Prohibition Bill.

A red-hot prohibition discussion was provoked in the Atlanta city council Monday on the introduction of resolutions protesting against the passage of a state prohibition bill and memorializing the legislature to defeat the measure.

A motion to table was defeated by the vote of 6 to 12, a later motion to refer to a committee being lost by the vote of 6 ayes and 13 noes, the vote upon its final adoption being 13 ayes and 6 noes.

HOLIDAY FOR POSTMASTERS.

Those of Fourth Class in Georgia Are Granted Leave of Absence.

A Washington dispatch says: All fourth class postmasters in Georgia have been granted leaves of absence, not exceeding five days, to attend the state league of fourth class postmasters, to be held at Atlanta, Ga., on August 17.

AT HANDS OF MOB

White Man is Sent to Doom for Heinous Crime.

RAPED STEP DAUGHTER

Lynching is Pulled Off at Dalton, Ga., in Orderly Manner by Enraged Citizens—Victim Made Full Confession.

Dock Posey, a white man, who had confessed to outraging his nine-year-old stepdaughter, was lynched at Dalton, Ga., between 1 and 2 o'clock Monday morning.

Shortly after 1 o'clock, a quiet but determined crowd of twenty-five men marched in an orderly manner to the county jail and demanded Posey.

Covered by guns in the hands of every member of the crowd Jailer Britton was compelled to surrender the keys. Entering the jail, the crowd went to the cell occupied by Posey, secured him, placed him in a buggy and drove to the Gordon street viaduct and hung him to a crossbeam.

There was absolutely no confusion in the crowd. Marching in double file, they collected several policemen and forced them to accompany them. Not a single shot was fired, and Posey was left hanging for the citizens to find Monday morning at 8:30. The body was cut down.

Before the hanging, the prisoner was asked if he committed the crime and why he did it. He answered that he was guilty, but that he did not intend to harm the girl. At this the crowd hooted and with the words, "Die with a lie in your mouth," the buggy was driven from under him and he was left swaying to and fro to slowly choke to death.

On the way to the viaduct, Posey asked the crowd to pray for him, and he met his fate without a single outcry.

The crime struck the entire city with horror. Never before had there been such an outrage in the county as that committed by Posey. After outraging the young girl, he himself carried her to Dalton and accused another man of the outrage.

The wife of Posey asserts that just the week before an attempt was made to outrage her older daughter by Posey, but nothing was done at the time. The young victim is in a very critical condition, but hopes are held out for her ultimate recovery.

Posey had been living in the county only one week, having moved from Walker county. He lived in one of the section houses at Rocky Face.

At 11 o'clock Saturday morning, Posey arrived in Dalton with his young victim and went to the office of Dr. Wood. The physician was out of his office, so the two immediately went to the office of Dr. J. S. Rollins, who, on making an examination and seeing the critical condition of his patient, quickly summoned Drs. McAfee and Erwin.

Officers were notified, and Posey was taken to the Whitfield county jail, where he was locked in the murderer's cell. At first he denied his guilt, but Sunday morning, just before being lynched he made a complete confession, telling exactly how the deed was accomplished.

As soon as the young girl was able to talk, she said that her stepfather had abused her.

COTTON IN LOW CONDITION.

Most Discouraging for Month of July So Far on Record.

The July report on cotton of The New York Journal of Commerce, just issued, makes the condition 74.2 per cent. This compares with 82.7 at the same time last year, 81.2 in 1905 and 83.2 in 1904. This is the lowest condition in June on record, the nearest approach to it being in 1900, when the government estimate was 75.8.

VENGEANCE IS CABRERA'S.

Guatemalan President is Rounding Up His Host of Enemies.

Word reached Mexico City that President Cabrera of Guatemala has caused the arrest of 160 citizens of that republic on the charge of alleged complicity in the recent attempt to assassinate him. All were thrown into prison and later huddled into squads of 20 and tried in groups. Many have been sentenced to death. Among the prisoners are some of the most wealthy and prominent men in the republic.

UNCLE SAM IN GOOD SHAPE.

Finances at End of Fiscal Year \$87,000,000 on Right Side.

So far as working purposes are concerned the fiscal year of the government closed with a surplus of substantially \$87,000,000, one of the largest net balances ever shown. In the fiscal year 1902, there was a surplus of \$91,287,373, but that was the largest since 1890.

CHARGE OF CONSPIRACY

Against Mine Owners is Being Made Chief Feature of Defense in Haywood Case at Boise.

The effort of the defense to open the way for a showing of a general conspiracy extending over many states on the part of the mine owners to crush out the Western Federation of Miners developed one of the interesting features of the trial of William D. Haywood at Boise, Idaho, Friday.

The state is resisting this very earnestly. So far Judge Wood has ruled that evidence showing a conspiracy in the states of Idaho and Colorado will be admitted on the promise that the defense will connect this later with their line of defense. But the defense has not given up their efforts to widen the field and at Friday's session of court, the struggle was resumed.

The conspiracy and not the discrediting of Orchard has now come to the forefront. W. D. Easlerly, who, as a member of the famous Altman Union No. 19 of Cripple Creek, was on the strike committee, and who Orchard swore was one of the men with whom he made the arrangements for more than one crime is still on the stand.

By him other links in the chain of alleged conspiracy of the mine owners and the work of the detectives employed by them to create feeling against the Western Federation will be put in evidence.

Incidentally Easlerly flatly contradicted every statement Orchard made connecting him with the Independence depot or the Vindicator mine. He tells of philanthropic work of the Western Federation through the Altman Union in caring for the sick and widows and orphans.

Easlerly will be taken under cross examination by Senator Borah later, and it is probable that this will be as searching as the cross examination of W. P. Davis, which the state counts as a distinct triumph and a material assistance to their side.

Clarence Darrow, who is conducting the defense, and is in charge of the witnesses, asserts most positively that he proposes to go, directly if possible, into the conspiracy of the mine owners, and claims if he succeeds in broadening the scope he will be able to prove that a widespread conspiracy existed.

Darrow says he can bring the Pinkerton agency in as one of the chiefs in the conspiracy and claims to have witnesses who will fully support his charges. If the court permits this line of defense it threatens a prolongation of the case as the state will call a large number of witnesses in rebuttal.

A MILLION SOLDIER JAPS

Compose Mikado's Standing Army, Says Returning Missionary.

The Rev. Henry C. Mabrie, general secretary of the American Baptist Union, who arrived at San Francisco on the Korea, Friday, has been on a four months' tour of the Orient inspecting the mission stations. He gave careful study to the Japanese question and says Americans should be warned against under-estimating Japan's strength.

"They have a standing army of a million men," he said, and their drill work is not the performance of perfunctory evolutions. They go at it in the greatest earnestness. No nation can afford to hold the Japanese efficiency or valor in contempt.

"There is an increasing feeling beneath the surface of uneasiness and sensitiveness in regard to our immigration policy and the treatment of her subjects. It is not so manifest as reports would endeavor to convey; the thoughtful, substantial men are disposed to be patient and to trust to the good intentions of our country and our officials for an amicable adjustment of the difficulties with regard to their rights."

NEW IMMIGRATION LAWS.

Important Statute Passed by Last Congress is Now Effective.

The new immigration laws placing numerous restrictions upon the incoming of undesirable foreigners, went into effect Monday. The most important change brought about by these acts is the increase of the head tax from \$2 to \$4, with the provision that all over \$2,000,000 of the revenue so derived will revert to the United States treasury instead of being devoted to the uses of the immigration bureau.

DEPUTY "LOST" HIS PRISONER.

Usual Crime of Negro Results in Usual Aftermath.

Following an assault on a white girl near Ruby, Va., a small railway station, a negro who had been arrested and identified by the girl as her assailant, was taken from a deputy sheriff by a mob while being carried to Alexandria for safe keeping, and "lost."