

DECISION ON FREEDOM OF PRESS

Judge Pritchard Lays Down the
Law in the Case of Editor
Josephus Daniels.

CONTEMPT POWER RESTRAINED.

If a Court Cannot be Criticised for
Official Conduct, Liberty of
Press is Gone.

Asheville, N. C., June 29.—Judge J. C. Pritchard of the United States circuit court today filed his opinion in the celebrated case of Josephus Daniels, editor of the Raleigh News and Observer, who had been fined \$2,000 for contempt of court by District Judge Purnell.

ognized as an authority in regard to newspaper utterances that might be construed as contempt of court. The text of the decision in part follows:

"The force of public opinion in this country in favor of the freedom of the press has restrained the free exercise of the power to punish this class of contempts and in many jurisdictions statutes have been enacted depriving the court of the power to punish them. It was taken from the federal courts by act of Congress of 1851, which act deprives those courts of the common law power to protect by this process their suitors, witnesses, officers and themselves against the libel of the press, though published and circulated pending the trial of a case therein.

"That newspapers sometimes engage in unwarranted criticism of the courts cannot be denied. In some instances they construe the liberty of the press as a license to authorize them to engage in wholesale abuse of the court, but these instances are rare, and do not warrant a departure from the well settled principles of the law as declared by Congress and construed by the courts. If a judge charged with the administration of the law is not to be criticised on account of his official conduct, the liberty of the press is abridged and the rights of individuals imperiled.

"There may be instances where the publication of editorials or other matter in newspapers would bring the author within the limitations of the statute. For instance, if a newspaper should publish an article concerning a trial which was being considered by a jury, and should send a copy of the

paper containing such article to the jury, or a member thereof, during the progress of the trial, for the purpose of influencing them in their decision, it would present a question whether such conduct would not be misbehavior in the presence of the court, or so near thereto as to obstruct the administration of justice.

"It appears that the distinguished judge who adjudged the petitioner to be in contempt of court exceeded the authority granted in the act of 1851, and that the court was without jurisdiction. Such being the case, the judgment of the court is void and, therefore, a nullity.

"In view of the foregoing, the court finds that the petitioner is unlawfully restrained of his liberty, and it is, therefore, considered and ordered by the court that the said Josephus Daniels be discharged from the custody of the marshal of the United States, and that he go hence without delay."

Missionaries in North China.

New York, June 29.—Advice received in this city today by the Missionary society of the Methodist Episcopal church from Rev. Charles D. Morris, presiding elder of the North China district of the mission, show that the work of the missionaries has been actively resumed throughout that part of the empire.

Montana Jail Burned.

Hamilton, Mont., June 29.—The city jail was destroyed by fire last night. It is supposed the work of a hobo who was a prisoner in the jail. He had

been arrested a couple of days ago for vagrancy and turned loose again. Last night he was arrested again on the charge of drunkenness. During the night the jail was discovered on fire, and the prisoners were hurriedly taken out, with the result that no one was injured. The jail is a total loss.

Starting for St. Louis.

New York, June 29.—The first party of New York City Democrats to start for St. Louis to attend the national Democratic convention left today, headed by Corporation Counsel John J. Delaney, who, it is understood, will open McClellan headquarters.

August Belmont, who supports Parker, will leave tonight and Charles F. Murphy, leader of Tammany hall, will start for St. Louis on Friday.

SANTOS DUMONT'S BALLOON.

Col. Kingsbury Says Owner is Responsible for Cutting of It.

St. Louis, June 29.—Lieut. Col. E. P. Kingsbury, U. S. A., commandant of the Jefferson guards, who had been investigating the attempted destruction of the gas bag of Santos-Dumont's airship, made his report to President Francis of the Louisiana purchase exposition tonight. Commandant Kingsbury says in part: "I learn from Lieut. Walsh, of the secret service, who has investigated the matter thoroughly, that Mr. Hudson told him that he several times yesterday afternoon spoke to Mr. Dumont of the advisability of placing special watchmen over the balloon and placing the cover on the box. This Mr. Dumont did not do, only partially replacing the cover, as he

stated that he desired to get all the air possible in contact with the balloon. It had been essential to the balloon, as much could have been obtained if a strong wire netting had been placed over the top of the box, the cover of which was only about half removed, anyway.

"One of Mr. Dumont's assistants is said to carry a large strong knife. Owing to the strength of the numerous folds and thickness of the balloon, some such knife as this would have been necessary to cut the balloon.

"A casual examination of the building in its present condition could not fail to convince anyone that, even with a vigilant watchman, it would be a very simple matter for a determined person to do what was done last night. I am told that Mr. Hudson stated today that the balloon could be repaired here, at least temporarily, in from two to five days.

"The above report is a compilation of personal observations, reports of my subordinates and conversations with secret service men."

Charles F. Morrison, who was arrested and confined in the fair police station on a charge of having wielded the knife on the gas bag, was released tonight, the authorities being of the opinion that there was not sufficient evidence to justify holding him.

ARCHBISHOP GUIDI.

His Body Will Lie in State in
Manila Cathedral.

Manila, June 29.—The remains of Archbishop Guidi, the apostolic delegate in the Philippine Islands, who died June 28 of heart disease, were today taken from the papal legation to the cathedral, where the body will lie in state. On Friday Archbishop Guidi will be celebrated a requiem mass, assisted by the Rt. Rev. Dennis J. Dougherty, bishop of Nueva Segovia; the Rt. Rev. Thomas A. Hendrick, bishop of

Cebu, and Mgr. F. Z. Rucker, bishop of Jaro.

GEN. SLOCUM DISASTER.

Names of Persons Responsible to
be Presented to Grand Jury.

New York, June 29.—Through an agreement between United States Dist. Atty. Burnett and Dist. Atty. Jerome, the names of the persons named yesterday by the coroner's jury as being responsible for the General Slocum disaster will be presented to the federal grand jury.

Late in the day Secy. James M. Atkinson and Director Floyd S. Corbin of the Knickerbocker Steamboat company surrendered to the coroner at his office. Mr. Corbin was released on \$5,000. The coroner, however, declined to accept bail for Mr. Atkinson until he should surrender the books of the company which were produced at the hearing. Mr. Atkinson did not have the books with him and he was detained at the coroner's office until a messenger obtained them. The bail in Mr. Atkinson's case was also fixed at \$5,000.

REINSPECTION ORDERED.

Of Passenger Carrying Steam-
boats in New York Harbor.

Washington, June 29.—Secy. Cortelyou of the department of commerce and labor today sent the following telegram, which is self-explanatory:

"Geo. Uhler, supervising inspector-general of the steamboat inspection service, New York: You are hereby desired to begin at once the reinspection that has been ordered of the passenger carrying steamboats in New York harbor. Detail the very best men in your service for this work and order that those who made the inspection of any particular boat earlier

in the season shall not make the reinspection. New. Telegraph the several supervising inspectors in the service except Gen. Birmingham of San Francisco, who is too far away and ask if they can spare without detriment to the interests committing to their charge some of their best men to assist in this work. Final judgment upon the character of the inspection hereafter must properly await the report of the federal investigation now in progress. I believe this reinspection should be made, making the reinspection the regulations and the various circulars that have been issued by the department from time to time for your service afford its officials definite instructions under existing laws."

ROXIE MCGEE'S DEATH.

Coroner's Inquest into it in Pro-
gress Behind Closed Doors.

Cripple Creek, Colo., June 29.—The coroner's inquest in the case of Roxie McGee, who was killed in the Victor rioting is still in progress behind closed doors. Besides the jurymen only the prosecuting attorneys and witnesses attend the hearings.

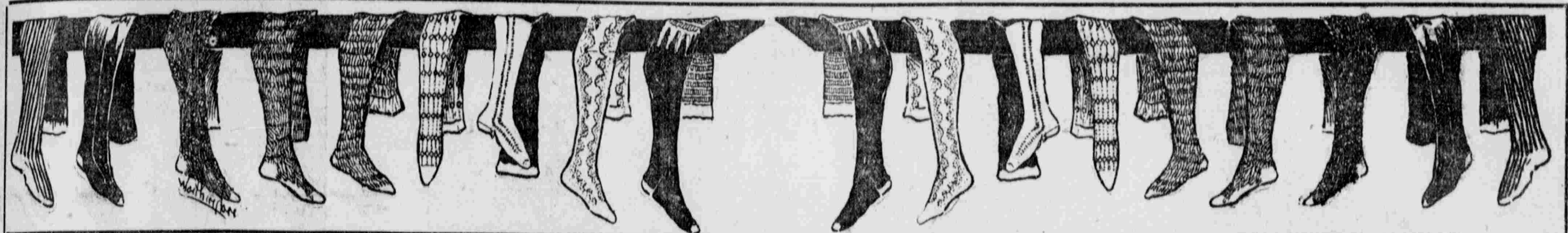
The first "They Can't Come Back" button to reach the city is being worn by Special Agent K. C. Stealing of the Mine Owners' association. It is an inch in diameter, with a white background, and the inscription is in large black letters. The button means that no deported men will be allowed to return to the district. Three thousand of these buttons will be here tomorrow and distributed.

Max Reiser, who was deported to the Colorado-Mexico line two weeks ago, returned to camp and was immediately placed under arrest and taken to the armory prison in Victor. He will be sent out again.

The three Citizens' alliances of the district now claim a membership of 2,530.

LOOK AT THESE HALF PRICES!

Tremendous Sale in Hosiery, Muslin Underwear, Waists and Children's Dresses



The force of this statement can be appreciated to its fullest extent only by an examination of the superb qualities represented in this remarkable sale. Such merchandise at half price is as unusual as an eclipse in the day time; but these qualities, eclipsing former sales, except our round-up—eclipsing values offered elsewhere—will cheer and reflect sunshine in the hearts of shrewd shoppers. The underwear represents the very highest standard of make. Being manufactured under the strictest sanitary conditions, no sweat shop label is attached to the garments. It is a beautiful line of goods—being the entire sample line of one of the very best manufacturers in the country.

MUSLIN UNDERWEAR AT HALF PRICE



These garments are made under the approved conditions, "The National Consumers' League." Every garment is made under the supervision of experts. Muslin underwear at HALF PRICE—such goods as these—is enough to fill our store with eager women. We do not expect to have a piece left by Thursday night. Clerks naturally become excellent judges of value; the young ladies in our store insist that these are the best muslin underwear bargains they ever saw—so clean and nice, so well made, of such splendid materials, of such perfect styles. You will hold similar opinion upon examination.

Gowns.	
\$ 1.00 for	\$.50
1.50 for	.75
2.50 for	1.25
3.50 for	1.75
4.00 for	2.00
5.00 for	2.50
6.50 for	3.25
7.50 for	3.75
10.00 for	5.00

Corset Covers	
\$.35 for	\$.18
.50 for	.25
.75 for	.38
1.00 for	.50
1.50 for	.75
2.00 for	1.00
3.50 for	1.75
4.00 for	2.00
5.00 for	2.50

Drawers.	
\$.25 for	\$.13
.50 for	.25
.75 for	.38
1.00 for	.50
1.50 for	.75
2.00 for	1.00
3.50 for	1.75
5.00 for	2.50

Skirts.	
\$ 1.25 for	\$.63
1.50 for	.75
2.00 for	1.00
3.50 for	1.75
4.00 for	2.00
6.50 for	3.25
7.50 for	3.75
10.00 for	5.00
12.50 for	6.25

MUSLIN UNDERWEAR—Made of fine cambric, nainsook and muslin; trimmed with the finest of embroideries and laces, and embodying all of the latest fads and effects in vogue in style centers.

The garments are gowns, corset covers, drawers and skirts only.

When we advertise a sale you may depend upon its being a real bargain offering. It is these dependable sales that are popularizing our store.

We handle the McCall patterns because they are the best patterns.

WE are pleased to announce an important sale of far-reaching reductions—the influence of which will likewise be far reaching. It embraces the kind of hosiery you will be interested in; new lines of muslin underwear that will appeal to your appreciation as to the purse—beautiful, stylish, well-made lingerie; children's dresses which are remarkable from a bargain standpoint; shirt waists at a time when they are needed. You can rely upon the qualities—the newness of the goods—the standard of make and style—as being in every way as represented. These goods were opportunely purchased in the market after the buyers had returned to their respective stores—at a time when manufacturers were disposing of their surplus stocks and picked up by one of our buyers on a second trip east this season.

2400 PAIRS OF HOSE 200 DOZEN PAIRS OF STOCKINGS

A CLEAN UP OF THE CELEBRATED BRAND OF ONYX—THE BEST HOSE MADE IN THE WORLD.

We announce the arrival of an extensive and exclusive stock of fine hose at prices which permit this sale. These beautiful hose are intended to meet the especial requirements of dainty dressers, at a uniform price, so exceedingly below their value that one's supply may be advantageously replenished.

The lines consist of black silk hose, black lace hose, black boot with colored tops, fancy stripes with open lace effects, and tan and blues with stripes. All sizes; 50c, 65c, 75c and 1.00 values for...

Mail Orders Our Specialty.

By directing the attention of the management to any transaction not entirely satisfactory, no time will be lost in making it right.

Letters frequently reach us complimentary as to the manner in which mail orders are looked after. Very few shoppers are as skilled as our shopper—the lady being in a position to take advantage of every sale, every low price, in the interest of out-of-town customers. "I couldn't have done as well myself had I been there," the ladies write.

Children's Dresses

6 to 12 years only.
The splendid showing comprises odds and ends of made dresses—not our lines but a manufacturer's surplus stock. The stitching and the general make is up to our standard of quality and style. \$1.35, \$1.65, \$1.75 and \$2.00 values for—

95 cts

\$2.50, \$3.00 and \$3.50 for \$1.05.

Nine Hundred Celebrated... Geisha Lawn Waists at Half Price!

Than the Geisha no waist in the United States is more foremost—everywhere the delight of women. It is one of the very first waists manufactured in this country—now the peer of all standard, reliable makes. One of our buyers when in New York a few weeks ago on his second purchase trip this year, exerted every endeavor to obtain the entire lot of waists at his price—300 dozen—but, encountering Marshall Field's buyer, who was after the same proposition, only 900 of them were to be had.

LAWN AND LINEN SHIRT WAISTS—Trimmed with dainty patterns in imported laces and embroideries; button back and front; of leading styles and highest class workmanship. Sizes 24, 26, 28 and 30.

\$1.00 for 50c. \$3.00 for \$1.50. \$6.00 for \$3.00. \$12.50 for \$6.25.

\$1.50 for 75c. \$4.50 for \$2.25. \$7.50 for \$3.75. \$15.00 for \$7.50.

\$2.00 for \$1.00. \$5.50 for \$2.75. \$10.00 for \$5.00.

You will make no mistake in attending to this sale. It is a strong one.

The shoe sale is still a feature of the week.

Our increasing business shows that the people are with us.

No portion of the store is more interesting than that which is devoted to little house furnishings. No prices equal our little prices there.

Legitimate reductions from 15 per cent to 40 per cent on carpets, rugs, metal beds, draperies and like furnishings means something.

McCall's Patterns the Best.

Dainty lingerie appeals to women at all times—but more especially when the prices are one-half.

Visitors are always welcome. An inviting reading room on the rear balcony affords an interesting view of the store.

Keith-O'Brien Co.

The Modern Store: Moderate Prices for Everybody.