

CONCERNED PLAN TO ATTACK GRAHAM JAIL, HE DECLARES

Private in Durham Machine Gun Company Tells of Plot To Storm Prison DRESSED AS CIVILIAN, HE WAS IN THE CROWD

Private John Thompson swears Jim Ray, Man Killed, and Phillips, One of Those Wounded, Were in Crowd When Plan To Attack Made; One of Attackers Wounded

By BEN DIXON McNEILL (Staff Correspondent.) Durham, Aug. 2.—Three well defined sensations developed before the Governor's commission here today investigating the conduct of the Durham machine gun company at Graham two weeks ago when John Thompson, member of the company, testified that he was present when the mob was formed to attack the jail, that Jim Ray, a citizen who was killed, was a member of the mob and armed, and that Allan Parrish, alleged to have been a member of the mob, was seriously wounded and has been secretly treated since that time.

The investigation grew out of charges made by Graham citizens that the machine gunners fired without provocation when they were guarding the lives of three negroes held in jail suspected of having committed criminal assault upon a white woman. A coroner's jury declared that Jim Ray was killed without reason and that there had been no attack planned or made upon the jail.

Private Thompson swore he was among the crowd in Graham on Monday night when the soldiers fired from the jail, killed Jim Ray and wounded two others, and heard them plan to attack the jail and carry off the three negro suspects held there. Ray and Phillips, one of the wounded men, were in the crowd when it dissolved with the agreement to attack the jail from all sides at 9:30.

Advances On Jail. Ray was killed and Phillips wounded, probably by pistol fire from the upper windows of the jail, directed by Sergeant Woods and Private Mangum. They were firing at a group of men, who, they say, were advancing upon the jail. Ray was picked up near where this group of men was fired upon, it was declared.

While the machine gun was being used upon the crowd from which part of the attacking party was advancing upon the jail, screams were heard as if some one had been hit, and that one, Allan Parrish of Burlington, was said to have been severely wounded, removed secretly, and has been attended in secret by physicians twice daily since. This evidence was clouded later when an uncle of the Parrish boy denied he had told anyone that his nephew was wounded on the night of the riot.

Practically every officer and enlisted man in the company testified during the hearing today. The members of the commission, Gen. B. S. Boyster, Judge H. W. Whedbee and Col. A. M. Boyden, arrived in the city at 10 o'clock, and a half-hour later the hearing was under way. Colonel Boyden presided, Judge Whedbee administered the oath to the witnesses, and the court allowed each man to tell his story in his own fashion. Most of the witnesses had been heard before adjournment was taken at 1:30. The afternoon session was brief.

Soldiers Conduct Case.

The soldiers conducted their own case, with Corporal Victor S. Bryant, Jr., who has recently hung his legle shingle to the tobacco laden breeches, acting as counsel and some times witness. None of the members of the company had the looks of being over 25 years of age, and many of them appear to have their majority to look forward to. None the less, they told a clear-cut, connected story, varying in detail only, as the experience of the various members of the company varied.

The commission listened with patient friendliness, declaring in the outset that they came not as a court to pass judgment upon anybody, but merely to hear what the soldiers had to say, and that they wanted it all said in perfect candor. Colonel Boyden asked each man if he had been a soldier in France, and his interpretation of orders. Judge Whedbee asked every witness how many shots he heard fired before the machine guns opened fire. The answers never varied.

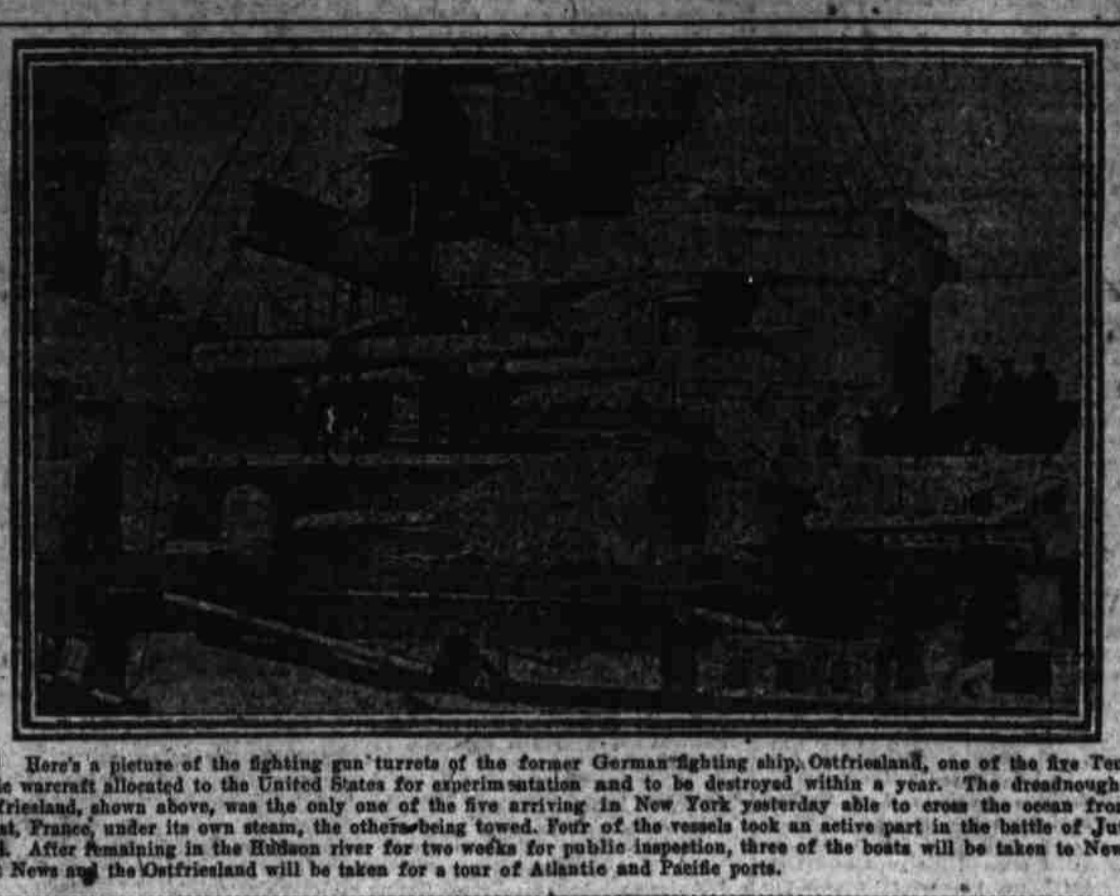
Graham People Present.

From Graham came a dozen or so citizens, among them a court stenographer, who listened with close and evident interest to all that the soldiers had to say, examined the affidavits filed, and went home to prepare for the continuation of the hearing in their own town this morning at 10 o'clock when they will be given an opportunity to present their claim that there was no mob, and no necessity for shooting. Members of the military will go to Graham tomorrow to hear the testimony given, and will have further opportunity to be heard themselves.

Capt. Marion Butler Fowler, commanding officer of the company, was the first witness to be sworn, followed by Lieut. L. H. Barbour, principal of one of the local schools, and Sergeant George Tandy, former Carolina football star and now umpire in the Piedmont baseball league. Captain Fowler's statement was the longest offered the commission, going as it did into minute detail of the company's service in Graham.

The company was ordered to Graham Sunday afternoon, July 18, he said, to protect the lives of three negroes held as suspects of having committed a horrible crime. A large crowd was gathered about the jail when he arrived. He and his men were feared, arrested and called "boy scouts." The night passed

FORMER GERMAN WARSHIPS ARRIVE IN AMERICA



Here's a picture of the fighting gun turrets of the former German fighting ship, Ostfriesland, one of the five Tonicic warcraft allotted to the United States for experimentation and to be destroyed within a year. The dreadnought, Ostfriesland, shown above, was the only one of the five arriving in New York yesterday able to cross the ocean from Brest, France, under its own steam, the others being towed. Four of the vessels took an active part in the battle of Jutland. After remaining in the Hudson river for two weeks for public inspection, three of the boats will be taken to Newport News and the Ostfriesland will be taken for a tour of Atlantic and Pacific ports.

DEMOCRATS OPEN UP HEADQUARTERS

Governor Cox May Come Into State Before Campaign Is Over

Major W. T. Joyner, well known Raleigh lawyer, was yesterday appointed Secretary of the Democratic State Executive Committee, vice Mr. H. P. Whitehurst, of New Bern, who resigned the position on account of pressure of private business.

The new secretary, who is a son of Dr. J. Y. Joyner, former State Superintendent of Public Instruction, served overseas in the world war with the 113th Field Artillery. Shortly after his return to Raleigh he became a member of the law firm of Burgess & Joyner.

Mr. Thomas D. Warren, of New Bern, chairman of the committee, arrived in the city yesterday and opened offices on the second floor of the building occupied by T. H. Briggs & Sons, at 225 Fayetteville street.

Although the offices have not yet been fully equipped, and only a small staff of stenographers has been secured, both the chairman and the new secretary yesterday plunged into the work of lining up the Democratic forces throughout the State. Chairman Warren announced yesterday that the speaking campaign will not be set into full swing until October, but State headquarters will keep in close touch with the various county chairmen and a quantity of literature will be distributed from the Raleigh office.

Although Republican orators have been covering the State for more than two months, no speakers will be put upon their trail at present, but a whirlwind finish is being prepared for the closing weeks of the campaign.

Chairman Warren stated yesterday it is probable that Governor James M. Cox, of Ohio, the Democratic candidate for President, will visit the State before the close of the campaign, but that the time of the visit will be fixed by the national committee.

REDUCE FREIGHT RATES TO BE SOUTHERN SLOGAN

President Fairfax Harrison Issues Statement On Freight Rate Situation

Washington, D. C., August 2.—Completion of "the cycle of government management of the Railroad industry" through increases in freight and passenger fares was said tonight by Fairfax Harrison, president of the Southern Railway system, to leave to the carriers of the country the opportunity for "a constant and progressive reduction of rates accompanied by an enlargement of service."

"The tremendous increase of railroad rates authorized by the Interstate Commerce Commission" said President Harrison in a formal statement, "seems to complete the cycle of government management of the railroad industry. It was necessary to carry the expenses set upon by the railroad administration but it must cause great concern as to its economic consequences."

"It now remains for private management to resume the practice of competitive efficiency and self-reliant initiative which distinguished the American railroads during so many years and to justify the preference of the American people for that form of administration by making possible not only the success of individual companies and the prosperity of their loyal employees but a constant and progressive reduction of rates accompanied by enlargement of service to the public such as may be traced through the old-fashioned railroad situation. No one can expect this to be accomplished overnight considering the practical conditions but a start can be made at once. Relying on the co-operation and support of the employees the management of the Southern railway system will make the effort."

BEGAN WORK OF DISMANTLING CHALLENGER FOR CATCH CUP

New York, August 2.—Shamrock IV, Sir Thomas Lipton's unsuccessful challenger for the America's Cup, was towed from her moorings in the Hudson river today to City Island, to be dismantled and probably scrapped. Police estimated that 3,500 persons visited the green yacht yesterday, many coming long distances.

ADVANCE IN RATES TO BE EFFECTIVE AT EARLIER DATES

New Passenger Fares Effective August 20 and Advanced Freight Rates August 25

RATE EXPERTS BEGIN WORK ON NEW SCHEDULES

Until Printed Tariffs Completed, Local Railroad Officials To Compute New Rates and Charges For Respective Territories On Basis of The Existing Rates

Washington, Aug. 2.—(By the Associated Press).—The new passenger fares probably will become effective August 20, and the advanced freight rates August 25, according to a program outlined tonight by Alfred B. Thom, general counsel for the Association of Railway Executives.

Simultaneously with the effectiveness of passenger fares, the increase charge for Pullman travel and the new rates on excess baggage and milk also will be put in force.

Railroad rate experts have begun the preparation of blanket rate schedules increasing the transportation costs on a percentage basis. These will be presented to the Interstate Commerce Commission five days prior to the proposed effective dates. The rate sheets will be supplemented by printed tariffs containing rates for all territories and on all commodities as soon as the multitudinous details can be accomplished. Under this work in force, local rail officials will compute the new rates and charges for their respective territories on the basis of the existing rates plus the percentage increase authorized by the commission.

To Stop Drain on Treasury.

While this method of putting new rates into effect would be usual, railroad officials pointed to the suggestion of the commission that the higher charges be put in force "at as early a date as practicable."

By putting the increased rates into effect prior to September 1, the drain on the Treasury under the guarantee provisions of the transportation act likely will be ended before the expiration of the government's guarantee of earnings to the roads. Officials estimated today that by September 1 the government provisions would have cost the government approximately \$650,000,000 for the six months since the passage of the present railroad law.

The government has been obligated to continue the \$15,000,000 monthly rental payment which was in effect during the Federal control, as well as to meet deficits not covered by the rental amount, sustained by the individual carriers.

Included in the charges which will fall on the Treasury in these deficits is that portion of the \$600,000,000 wage award covering labor costs from May 1 to September 1, when the guarantee expires. This was officially estimated at \$200,000,000. Thus the American people will pay one-third of the increased wages for the railroad employees this year in taxes.

With the amount guaranteed the carriers this year and the claims of the lines for compensation under their contracts with the railroad administration the roads will have cost the government approximately a billion and a half dollars since the President took over the properties December 28, 1917.

Gain of Billion and a Half.

Operation of the roads after September 1 under the new rates will yield, according to accountants and tariff experts of the carriers, an annual return of about \$1,500,000,000. While these figures were of a preliminary sort the railroad experts believed the freight revenues to be derived under the new charges would amount to \$1,300,000,000 and the income from passenger traffic \$233,000,000. Their estimates, it was explained, were based on the assumption that intrastate rates would be increased correspondingly with the advance authorized by the Federal commission in interstate rates.

The need for increases in intrastate rates was set forth in a report forwarded today to various State railway and public utility commissions by the three State commissioners who sat with the Interstate Commerce Commission during its hearings and consideration of the rate case.

TEXAS NEGRO LYNCHED FOR MURDER OF WOMAN

Military Company Called Out Too Late To Prevent Mob Violence at Center

Center, Texas, August 2.—Lige Daniels, a negro charged with the murder of Mrs. Maggie Hall, a white woman, was taken from the county jail here late today by a mob of over a thousand men and lynched to a tree in the courthouse yard. The mob wrecked the steel cell to get at the negro. The lynching followed announcement by officers of a full confession made to the grand jury now in session, and also to the district attorney, it was said.

Unconscious, with her skull crushed and her body bruised and lacerated, Mrs. Hall, who was the wife of a well-known farmer living near Center, was found at a lonely spot last Thursday night. She was brought here for medical attention but died Friday.

Captain W. A. Bridges, commanding Company L, Seventh Cavalry, received wire instructions from Austin to protect the negro and prevent the lynching but he was unable to find any of the members of his company in time for mobilization.

The crowd dispersed after the lynching and the town resumed its normal appearance.

MILLIONAIRE SOCIALIST GIVEN PRISON SENTENCE FOR BEING A COMMUNIST

Chicago, Aug. 2.—William Brown Lloyd, millionaire Socialist, and 19 other members of the Communist Labor party tonight were found guilty by a jury of conspiracy to overthrow the government of the United States.

The defendants were given various sentences, most of them getting from one to five years in the penitentiary, a few being given fines in addition, and several were sentenced to one year in jail. Lloyd got the heaviest sentence, being given one to five years in the penitentiary and a fine of \$2,000 in addition.

BAXTER SHEMWELL ORDERED TO ROADS

Prominent Lexington Man Convicted in Superior Court of Making Assault

Lexington, Aug. 2.—Baxter Shemwell was sentenced to thirty months on the county roads by Judge J. Bis Ray in superior court here this afternoon after he had been found guilty of assault with deadly weapon on Wade H. Phillips and John C. Bower, local attorneys, and of carrying concealed weapons.

Two years was given in the assault case and six months for carrying concealed weapons. Shemwell gave notice of appeal to the Supreme Court and his bond was fixed at \$2,000. The State offered only Bower and his law partner, Major Phillips, who told of the defendant's drawing two pistols in their office a January 16, last, after words over the severance of relations as attorney and client on the part of the lawyers. During the struggle that followed the drawing of the weapons, it was testified, one pistol was discharged and the bullet penetrated Major Phillips' clothing.

The defense offered no evidence in either case but depended upon a plea of mercy, which Judge Ray declared could not be allowed. He pointed to the two big pistols, and a repeating rifle, offered as evidence, and declared they did not comport with plea of mercy. When defense attorney stated that Shemwell had armed himself in self-defense against someone he had reason to believe had designs upon his life, Judge Ray replied that the Kaiser claimed he did the same thing, but produced a world war by reason of being too heavily armed.

James P. of Raleigh appeared with local counsel for the defense, while former Judge B. C. Starbird assisted local counsel for the State. The court room was crowded during the brief trial.

A special venire was ordered summoned for Wednesday morning when the case against Shemwell, alias Arthur McDowell, alias Arthur Cunningham and Alexander Cunningham, colored, will be placed on trial for his life on the charge of assaulting criminally the wife of a well known white farmer of the county.

FOUR PERSONS KILLED IN AUTOMOBILE ACCIDENT

Two Others in Machine Carried To Spartanburg Hospital With Crushed Skulls

Spartanburg, S. C., Aug. 2.—Four persons are dead, two are dying and two were injured as a result of being crushed beneath their automobile which crashed through the railing of a bridge over the C. C. and O. railway at Mayo, S. C., yesterday afternoon, and fell 80 feet to the railway tracks below.

The dead are John Wilton Norris, Custer Hunter, Samuel E. Clark and Miss Ila Gilmer. Miss Mary Ellen Rodgers and Miss Callie Reel are dying in a local hospital with crushed skulls. S. F. Hutton, who was driving the automobile, has lacerations of the scalp and concussion of the brain. Miss Lottie Gilmer has a broken arm.

Mr. Sutton, with seven companions was returning from a trip to the northern section of the state, when, in turning a sharp curve at Mayo, the machine hurtled through the railing at the end of the bridge, throwing the entire party to the tracks below. All members of the party were from Glendale, this county.

CRACKER STATE SHOWS SMALL INCREASE GROWTH

Washington, August 2.—Georgia's 1920 population, with the exception of one enumeration district not returned by the supervisor, is 2,893,771, the Census Bureau announced today. Ten years ago the population was 2,609,121. The rate of growth for the ten years was 10.9 per cent, the smallest in the history of the State. It was almost 7 per cent less than the increase of ten years ago.

In numbers, Georgia's population increase was 284,650, the smallest numerical increase since the decade ending with 1870 and a little more than two-thirds as large as the increase ten years ago.

WASHINGTON LOSES FEW FOLKS IN POPULATION

Washington, August 2.—The Census Bureau today announced the population of the following cities:

Clearwater, Fla., 2,427; increase, 1, 256, or 107.3 per cent.

Washington, North Carolina, 6,106; decrease, 45, or 0.7 per cent.

Wood River, in Madison county, Illinois, whose population was announced today by the Census Bureau as 2,476, has shown an increase of 408.1 per cent during the last ten years. That is the highest rate of growth shown by any place in the United States thus far in the fourteenth census.

NO OCCASION FOR ALARM BECAUSE OF RATE INCREASES

Economist For Railroad Labor Organizations Shifts Burden To Roads

SAYS BAD MANAGEMENT MADE ADVANCE NECESSARY

Warns Public Against Permitting Advanced Rates To Be Used As Excuse For Unnecessary Increases In Price of Ordinary Articles of Consumption

Washington, Aug. 2.—Railroad rate increases authorized by the Interstate Commerce Commission "should have no appreciable effect on the prices of the vast majority of things which the ordinary consumer purchases," according to an analysis of the possible effect of the advanced rates made public tonight by W. Jett Dank, economist for the railroad labor organizations. At the same time Mr. Dank asserted that "there would have been no occasion for so large an advance" if the roads had been better managed, made free of "water" in capitalization and were "not themselves the victims of profiteers to the extent of \$300,000,000 a year" in purchase of supplies and equipment.

"But there is no occasion for alarm in the prospect of an addition of a billion and a half dollars to the annual transportation bill of the country," the statement said, "provided this item is not multiplied four or five times before it is presented to the people for payment. For instance, by no possible computation can the increased rates be made to justify an increase of one cent per pound in the price of meat or five cents per pair in the price of shoes or ten cents in the price of a suit of clothes or one-fourth of one cent in the price of a loaf of bread. Hence the public should be informed and the forces of government should be urged to see that no unjustifiable burden is imposed on the people as a result of the Interstate Commerce Commission's solution of the financial problems of the railroads."

Coal, Mr. Dank said, was one commodity the price of which would be "directly and appreciably increased" to the consumer by the rate advance, the amount being from 75 cents to \$1.35 per ton. Including all of the transportation costs entering into wholesale meat prices, he asserted, naming the hauling of feed to cattle and the movement of livestock before killing, the maximum effect of the advance would be less than a cent a pound. On flour he said, the increased cost at Philadelphia would amount to 33 cents a barrel, while on a suit of clothes made on the Atlantic coast and retailed on the Pacific the increased freight would amount to nine cents.

"The great industries of the country could simply afford to deduct the increased freight rate from the price of their products," he added, after presenting some statistics on profits of producing corporations, "thus allowing the commodity to reach the retailer at the same price as formerly. By so doing they would be decreasing their excess profits less than one-fourth and would still have left their full normal profit and three-fourths or more of the excess profit which they are now making."

SUFFS CONCENTRATING STRENGTH IN TENNESSEE

Ten Votes Short In House and Six Votes In Senate, Washington Hears

News and Observer Bureau, 603 District National Bank Bldg. By R. E. POWELL.

Washington, Aug. 2.—With ten votes short in the House and six votes short in the Senate, suffragists, one week before the convening of the special session of the Tennessee Legislature, are concentrating all their full force in that State. Four headquarters have already been opened in the State, with five organizers campaigning in the districts.

Mr. Abby Scott Baker, political chairman of the party, leaves Washington today for Ohio, where a fourth member of the ratification committee appointed to consult with the Democratic leaders, she will be in constant touch with Governor Cox on the Tennessee situation.

Three thousand dollars was contributed by Philadelphia members of the women's party yesterday for work in the thirty-sixth State. Miss Fanny Cochran gave \$1,000; Miss Mary Buchanan another \$1,000, and small contributions, including \$500 from Mrs. Katherine Halligan, of Philadelphia, totaling another thousand.

CLOTHING JOBBERS TRY TO STAMPEDE RETAILERS

Washington, Aug. 2.—Howard E. Figg, special assistant to the attorney general in the enforcement of the Lever law against profiteering, charged today that manufacturers and jobbers of wearing apparel were attempting through variously prepared propaganda "to stampede retailers and the public into a renewed selfish demand" for clothing and thereby force prices higher.

"The Department of Justice," said Figg, "is fully advised of the several phases of this carefully planned campaign and it only remains to fix personal responsibility before applying the criminal provisions of the Lever law."

In a formal statement Mr. Figg charged that the manufacturers and jobbers were circulating propaganda similar to that used to mislead the public during the recent speculative conditions.