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WILMINGTON, N. C., JULY 23, 1907

\$1.00 PER YEAR

30 PERSONS KILLED

Excursion Train Crashes Into Freight

MORE THAN 70 INJURED

Crew of Freight Train Responsible for Accident

Excursion Train Running at Rate of 50 Miles an Hour—Freight Engine Turned Completely Around by Force of Collision—Not Enough Left of Baggage Car to Show Where It Had Been Thrown.

Salem, Mich., July 20.—Thirty people are dead and more than seventy injured, many of them seriously, as a result of a head on collision today between this village and Plymouth when a Pere Marquette excursion train bound from Ionia to Detroit crashed into a west bound freight in a sharp curve of the Pere Marquette road about a mile east of Salem.

The passenger train of eleven cars, carrying the Pere Marquette shop employees of Ionia and their families to the Michigan metropolis for their annual excursion was running at high speed, probably fifty miles an hour down a grade. It struck the lighter locomotive of the freight train with such terrific force as to turn the freight engine completely around.

The wrecked locomotives this afternoon both lay side by side, both headed eastward.

Only few of the freight train cars were smashed and it was only a few hours work to remove all traces of them from the scene. But behind the two wrecked locomotives two wrecked passenger coaches remained on the track undamaged and were used to convey the dead and injured to Ionia; one coach was entirely undamaged with only its forward trucks off the rails. These were the rear five cars. The two coaches next ahead telescoped. The next car forward stood almost on end after the wreck, its forward end resting on the road bed and the rear and high in the air upon the two telescoped coaches that had been following it.

Two coaches were thrown crosswise to the track, and lay suspended from bank to bank of the cut five or six feet above the rails.

Of the baggage car not enough remained to show where it had been tossed.

Portions of the baggage car and of the locomotive tenders and freight cars were piled in an undecipherable mass of debris.

The 28 dead bodies first taken from the wreck were shipped to Ionia and the injured were placed on two trains, one of which headed for Detroit and the other for Ionia. There were about 35 injured people on each train.

Later in the day the body of Ed Corman, the head brakeman of the passenger train, was taken out of the wreck.

Fireman Knowles died on the relief train en route to Detroit, bringing the list of dead to thirty, with a possibility that more bodies might be found in the wreckage and that several of the injured may die.

Responsibility is placed squarely upon the crew of the freight train by the officials of the road. Officials who arrived at the wreck soon after the accident secured from the freight orders under which it was running and which clearly showed the position of the passenger excursion train, and that the freight had encroached upon the other train's running time.

The special was due at Salem at 9:10 a. m. and at Plymouth at 9:20 a. m. It passed Salem on time. The time card of the special was telegraphed to the freight crew in form of a train order and this order with the signatures of the freight train crew attached was recovered by the officials of the road.

The freight crew left the scene early but the railroad officials said that they explained simply that they had forgotten.

The collision occurred at 9:13 o'clock and the freight train should have reached Salem at 9:10 to be within their orders.

FINLEY MAKES STATEMENT

Gives His Views Upon Cases Now Before Judge Pritchard.

Asheville, N. C., July 20.—President Finley of the Southern railway today gave out a formal statement, bearing upon the railroad cases now before Judge Pritchard.

Mr. Finley, after explaining the character of the cases, declared that such have from time to time been filed in a large number of states and have heretofore progressed in an orderly way to a final determination. He reiterates how the public is protected by the railroads giving coupons to purchasers of tickets covering the difference between the old and new passenger rate fixed by the legislature and the statement is made that the whole case can be disposed of in a few months. He further says:

"It would seem to be perfectly plain that if an individual or corporation believed itself to be in danger of deprivation of its property by legislation it should be allowed the privilege of having the validity of the legislation determined in an orderly method. If ours is to be a government of law and not of man, then, surely no litigant should be deprived of a fair opportunity of going into the courts to protect its rights.

"The Southern railway company 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 or diminished.

"It is 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 is itself a violation of defiance of the law. If an appeal to a court is a violation of law then all our courts should come to an end."

ZEKE LEWIS ON TRIAL

Another Alleged Anson County Lyncher Faces Jury.

Charlotte, N. C., July 20.—Zeke Lewis one of the score of the residents of Anson, charged with the lynching of John V. Johnson, May 28, 1906, was placed on trial in Union county this morning.

The jury was secured in an hour and the same witnesses who testified for the state in Jones' case went on the stand today to give evidence against Lewis.

Sheriff Bogan swore today that Lewis was one of the ring leaders of the mob and one of those who seized him and took the keys to the jail.

H. D. Kendall, Sr., the lyncher who turned state's evidence, gave evidence that differed considerably from that given in the Jones trial. He was not so positive in his identification of those whom he saw in mob his mind seemed to have weakened under the strain of the former trial.

The cross examination of Kendall was completed and the court took recess until Monday.

At adjournment Judge Peebles ordered that the jury be not allowed to attend religious services tomorrow for fear that they might hear a sermon on lynching.

The defense claims that it has a stronger alibi for Lewis than was established in the Jones case.

SKELETON UNEARTHED

Suggested That It Might Be That of Pocahontas.

Gravesend, July 20.—While excavating on the site of the old parish church where Pocahontas was buried and which was destroyed by fire before 1727, workmen unearthed a human skeleton.

Much interest was evoked by the finding as it was suggested that the bones might be those of Pocahontas. The skeleton was submitted to experts who, however, were unable to arrive at any definite conclusion.

The position of the skeleton when the workmen came upon it, facing downwards within two feet of the surface, suggested a more recent burial than that of Pocahontas.

Pocahontas died at Gravesend in 1617. In 1613 she was married to John Rolfe one of settlers of Jamestown. In 1616 Rolfe and his wife, in company with a number of Indians, sailed for England.

We believe that lower freight rates are of more importance than lower passenger rates, but come to think of it the railroads are as slow giving us one as the other.—Durham Herald.

RAILROADS MUST OBEY LAW

Otherwise He Will Continue to Prosecute Them

GOV. GLENN INTERVIEWED

Result of Trial Against Southern What He Expected—Will Stop Cases if Railroads Will Comply With Rate Law.

(Special to The Messenger)

Raleigh, N. C., July 20.—In an interview tonight Governor Glenn said he will continue to prosecute the railroads until they obey the law. Commenting on the verdict of the jury and sentence of the court in the case against T. E. Green and the Southern railway, the governor said:

"It is about what I expected. Upon the testimony there being no evidence offered by the defendant to show that the rate was confiscatory and therefore unconstitutional, the jury was compelled to convict, and the judge was right in putting a fine on the real offender and not the agent, who simply sold tickets under orders."

As to what would be his future action the governor said that depends on the course pursued by the Southern and Coast Line railroads; if they will acquiesce in the law, like other roads have done, then no further indictments will be made, but if they persist in selling tickets at higher rate than 2-1-4 cents, I will instruct the state's attorneys to aid solicitors in finding new bills, and in prosecuting the same until the said railroads obey the law, or the courts of the highest jurisdiction declare the rate act unconstitutional. As I have stated I regret this conflict; I want it settled, and if the railroads will withdraw their attempted injunction until evidence is taken and the court passes upon the constitutionality of the act, in the meantime selling tickets at rates fixed by the statute, I will aid them in hastening the hearing of the case, stopping all indictments and asking all citizens to cease bringing penalty suits. If, however, they refuse to recognize the law and as a result costs, fines and odium attaches to them, and their agents, who persist in obeying them in defiance of the law, and go to jail, they will have no one but themselves to blame, as the state is ready to stop when the law is obeyed. I am not guilty of usurpation as some railroad organs contend in thus trying to enforce a violated law, but simply as an executive officer of the state, executing the law, as under the state constitution and laws, I am compelled to do. My duty is to see that all persons violating the law are prosecuted; I am actually in a great many cases, as in these marked the prosecutor. So whether it be in prosecuting the alleged lynchings, as I am now doing in Union county, or trying to stop railroads from setting at naught the declared will of the people through its legislature, I intend, without needlessly harassing individuals or railroads, to try to enforce the laws now being persistently and definitely violated by these railroads.

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WORKED IN CHARLOTTE

Man Killed in Trolley Accident Friday Night.

Norfolk, July 20.—George E. Adamson, aged 41 years, who was killed in a trolley accident near Ocean View last night, had been working as a machinist in Charlotte, N. C., and Savannah, Ga.

He was several days ago joined in Charlotte, by Miss Alda C. Sherrill, of Cornelius, a small station near Charlotte, and the couple were here taking in the exposition before proceeding to Adamson's old home in Providence, R. I., where they were to have been married at the residence of his mother.

They had procured their tickets and were to have left by steamer for Providence today.

Miss Sherrill is here awaiting word from relatives in Providence of Adamson and the disposition of his body after which she will return to Charlotte.

RIOTERS SENTENCED

Roanoke, Va., July 20.—J. F. Lester and Robert Bell, indicted on misdemeanor charges by a special grand jury in connection with the riots of last Saturday night, when a mob smashed all the Greek restaurants and shoe blacking places in town, were today tried in police court.

Lester was fined \$50 and given six months in jail.

Bell was fined \$25 and given 30 days in jail.

Seventeen of the twenty men indicted are charged with misdemeanor and will be tried in police court.

The other three are indicted for felony and will be tried in the higher court.

NEW RULE ISSUED

Receivers of spirits turpentine find it impossible to sell the spirits in oil barrels at the present difference between machine barrels and oil barrels.

At present the difference is 25c, but buyers are demanding 75c. On account of this fact, the chamber of commerce has adopted the following rule effective August 1st, 1907:

"Rule 6.—Refined petroleum barrels which have been properly steamed and glued shall be a good delivery on contracts for shipping and merchantable order, provided, such barrels are in shipping and merchantable order, and they are subject to a deduction of seventy-five cents each, such barrels with spile holes except in the bung stave are unmerchantable."

FAYETTEVILLE HOTEL SOLD

Fayetteville, N. C., July 19.—Today C. J. Cooper the general manager of the Southern Life Insurance Co., bought from M. McI. Matthews, manager and F. W. Thornton, the Hotel LaFayette, one of the largest and finest in the state, just refitted and refurbished. The management continues with Chief Clerk Cagle.

KOREAN CABINET RESIGNS

Seoul, July 18.—The cabinet ministers, including the newly appointed household minister, have resigned. It is reported that the emperor was very angry at his ministers on account of their having advised him to abdicate. He said to them that he occupied the throne by right inherited from his ancestors and that his subjects had no authority to advise his dethronement, much less to do so with the support of foreigners.

Marquis Ito, in compliance with the emperor's urgent desire to see him, even for a short time, proceeded to the palace this afternoon.

SEEK RELEASE FROM SENTENCE

Ticket Agents Sue Out Writs of Habeas Corpus

CASE HEARD IN U. S. COURT

Entire Day Consumed in Argument. Judge Pritchard Will Render Decision on Monday, Accompanied by Written Statement.

(Special to The Messenger)

Asheville, N. C., July 20.—Argument in habeas corpus proceedings brought by Messrs. J. H. Wood and O. C. Wilson, in the United States circuit court to secure their release from the sentence imposed on them Thursday by the city police court for violating, as agents of the Southern, the state rate law, was closed this afternoon and Judge Pritchard announced that as he wished to accompany his decision with a written statement he would adjourn court until Monday.

The entire day was taken up with arguments by counsel for the petitioners and state, General Counsel Thom, of the Southern appearing for the former, and Judge J. H. Merrimon, of this city, for the latter.

Judge Merrimon contended that no court had ever paralyzed other courts by preventing them from proceeding in criminal cases by suspending a statute, and he further contended that the court could not hold that the state legislature could fix rates, but could not provide punishment for failure to observe such rates. Mr. Thom argued that the penal section of the rate law was unconstitutional, both on its face and was so proven by evidence, because it allowed such extraordinary fines that through fear of them, the railroad would be deprived of the inalienable right to resist the law in the courts, and that as the court had taken jurisdiction of the rate law in the case decided here June 29, it was legally bound to protect that jurisdiction since otherwise it would be a nullity.

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COUNTY BONDS SOLD.

(Special to The Messenger.)

Dunn, N. C., July 17.—Harnett county bonds were sold July 8th by the board of county commissioners for a premium of \$425.00. The issue is for \$40,000 and is for refunding the entire county debt—Messrs. Jno. Neween & Co., of Chicago, were the purchasers.

Rev. A. R. McQueen, of Moore County, has accepted a call to the Presbyterian churches here and at Godwin and will make this his home.

The county assessment increase will be about 40 per cent, from four years ago. The board of equalization met last week and adjusted about all differences.

A good many farmers in this section are trying the long staple Sea Island cotton, called Floradora. Last season this kind of cotton sold for 20 to 21 cents per pound.

Dunn will have a good public school beginning about September 1st. Prof. Jno. A. McLean, principal, Miss Jessie Smith, of Dunn, is first teacher. Five other young ladies have been elected teachers, Miss Gertrude Harper, of Dunn, among them. The building is a nice two story brick structure, just finished, and ready for the furniture, costing about \$11,000. Order was given the Columbus Desk Co., of Columbus, Ga., for up-to-date desks and furniture.

No town in the state has a nicer site and building.

There is not a vacant store or dwelling in town.

Dunn will have a tobacco market this year. Mr. E. W. Harris will run the warehouse, and Mr. Geo. H. Beal will represent the American Tobacco Co. here. Mr. Beal is a big buyer and makes this a very strong market.

RALEIGH NASSAWMUT.

Raleigh, N. C., July 19.—Governor Glenn designated Judge C. C. Lyon, to hold the McDowell county two weeks beginning Monday, instead of Judge Peebles, who is holding the court for trying the Anson county lynchings.

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 and Charleston railroad. The assessment was doubted 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 improvements with evident effort on the part of manufacturers to maintain proper attitudes.

The statement is made from the office of Adjutant General Robertson here that the 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, 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 supplied.

The Wake county school board has located one of the four high schools to be established in the county at Holly Springs.

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RIOTING IN SEOUL

Residence of Korean Premier Destroyed by Mob

EXCITEMENT INCREASING

Korean Army Unable to Cope With Situation

Hostilities Directed Against the Japanese—Machine Guns En-trenched in Streets of City—People Warned to stay in Their Houses—Shops Still Remain Closed—Military Patrol the Streets.

Tokio, July 20.—A dispatch from Seoul says that an enraged mob of 1,000 persons has attacked and burned the residence of the Korean premier Yi Wang Yang. The premier was absent at the time of the visit to the palace.

A proclamation was published at five o'clock this evening, warning the people to remain in their houses. At dusk machine guns were entrenched behind breast works built in the streets approaching the palace in anticipation of a night attack. Military are patrolling the suburbs.

Japanese troops are arriving here, but they are too few in number to make any attempt to disarm Korean soldiers feasible and they are now confined to their barracks.

Marquis Ito was first to be received. He had a conversation with the former emperor lasting ten minutes.

The new emperor is performing his duty in a purely perfunctory manner. He is said to show little strength of character and the outlook for his administration of public affairs is not promising.

Ping Yang, July 20.—All the shops here are closed. There is great excitement among the natives who are unaware that abdication has been accomplished.

The safety of the Japanese residents is problematical, as the departure of a regiment for Seoul leaves only 300 Japanese in the province.

The shops of Seoul have been closed now for thirty-six hours. Today the crowds are greater and the native spirit is higher, necessitating a greater show of military force, and the people are encouraged and inflamed by the several killings of yesterday.

General Hasegawa has two machine gun placed in the palace square.

Not only is the Korean army regarded as impotent to cope with the situation, but the members of the Japanese troops are wholly inadequate.

Arrangements have been made for reinforcing them from Shimonsaki. Hostilities are directed wholly against the Japanese. Other foreigners are safe. Much apprehension is felt for the safety of Japanese at the interior places when the Korean masses learn, as they will in a few days, of the momentous events that have occurred.

Tokio, July 21.—Late advices from Seoul say that the rioting is growing in magnitude.

Attempts to burn the railway station and the police building were frustrated by prompt action by the Japanese police and gendarmes.

The powder magazine of the Korean government is strongly guarded by Japanese troops at the request of the minister of war.

Rioters are shooting wildly out of windows and two Japanese are reported to have been killed. Murderous assaults are frequent and the city is verging almost on a reign of terror. Business is completely suspended.

Riot Reported in Progress.

San Francisco July 20.—A riot is reported to be in progress at the United Railroad's car barns at 29th and Madison streets.

Four men are reported to have been shot. The barn is said to be one fire department has gone to the scene. All the police reserves have been called out.

A Pittsburg woman is suing for divorce because her husband required her to eat beans. In Boston it would have been considered that man had shown the most distinguished consideration for his spouse.—Savannah News.