

The Mount Airy News.

VOL. XXIX

MOUNT AIRY, NORTH CAROLINA, THURSDAY, JANUARY 14, 1909

NO. 26

LAWYERS SPEECH STOPPED.

Union City, Tenn., Jan. 6.—After a bitter attack on Governor of the State and an attempt to bring the killing of former United States Senator Edward W. Carmack into the case, Rice Pierce, senior counsel for the murder of Captain Quentin Ranken, to-day was reprimanded by Judge Jones.

Mr. Pierce was preparing to close his argument for the defense and was discussing the testimony of Fehringer, Hogg and Morris, night-riders who turned State's evidence. He launched into a violent denunciation of Governor Patterson.

"The Governor of the State," he said, "after sending an army into Obion county to trample on the rights of the people, to snatch honest men from their homes, and bully them and abuse them, then offered a reward of \$10,000 for the arrest of Ranken's murderers. I do not approve of crimes. I denounce murder, whether it is a cowardly assassin on the streets of our capital, or any equally cowardly murder on the banks of Reel Foot lake. But I submit that all men are equal before the law, and the man or men who assassinated Carmack are entitled to no better treatment than those who killed Ranken.

"After filling Obion county with the army and abusing citizens, what does Patterson do, this Governor of the State? He sends for Frank Fehringer and Herschel Hogg and Wad Morris, and he bribes them to perjure themselves to send honest men to the gallows."

Several times the attorney repeated this charge and then Judge Jones said:

"The court does not believe that the judiciary should permit to pass unnoticed this assault on the Chief Executive of the State. There is nothing in the testimony to sustain counsel's charges. The witnesses swore repeatedly that what Governor Patterson told them was that if they would tell the truth he would give them an unconstitutional pardon and see that they got out of the country. In no way is it in evidence that he offered them pardon to involve any one in the murder."

"But," retorted Pierce, "these witnesses, or one of them at least, swore that if Patterson had not offered him the pardon, he would not have made the confession. Just what else he offered them, I do not know, but I believe I have a right to say he bribed the witnesses to perjure themselves."

"Mr. Pierce," again said the court, "these remarks are highly improper and the court will not permit you to make them. Gentlemen of the jury, there is nothing in evidence upon which the charge against the Governor can be based."

Mr. Pierce had spoken nearly two hours when he was stopped by Judge Jones. Court adjourned a few minutes later until tomorrow, with two hours of time still to the defenses credit. The case should go to the jury on Thursday.

Juror Rosson, who is ill with measles, is being kept in the court house. A room has been fitted up for him and he is carried from it to his chair each time court opens. He has a high fever but is determined to remain on the jury till the trial ends.

There is no case on record of a cough, cold or la grippe developing into pneumonia after Foley's Honey and Tar has been taken, as it cures the most obstinate deep seated coughs and colds. Why take anything else. Sold by J. H. Gwyn

THE STRENGTH OF AN EAGLE

Weight the Bird Could Carry in Flight—His Strong Claws. Forest and Stream.

While I cannot give positive proof of how much a bald eagle can carry, I should suppose that he could carry at least as much in proportion to his weight as a hawk or a horned owl. I have the recorded weight of a male bald eagle weighing nine and one quarter pounds and a female weighing twelve pounds.

A horned owl will weigh from four to five pounds, and I have several times known one to carry off a large house cat. One was a very large one, and the owner told me he could hear the cat cry as he was being carried off. Now any one who will weigh a large house cat will find it to weigh at least ten pounds.

I have seen a goshawk carry off a hen fully twice its own weight, and I have taken from a marsh hawk a very large chicken which would weigh more than twice what the hawk would. The marsh hawk is one of our weakest hawks, but he had carried this chicken over a quarter of a mile. My belief is that if a hawk or horned owl can carry more than twice its weight and (I know positively that they can) an eagle could, if occasion required, do as much in proportion to his weight, which would be to carry eighteen or twenty pounds.

Once when an eagle, shot through the body with a rifle ball, lay on his back. I up-ended a long road skid and dropped it on him he stretched up and caught it in his claws and held it up the length of his leg above him. I walked up on the skid and stood above him, and he easily held me and the skid, which I should judge would weigh more than twenty pounds. I took pains to be weighed the same day, and weighed 119 pounds. Put a stick in the claw of a wounded eagle and let him grasp a small tree with the other, and a man must be stronger than I ever was to take the stick from him.

Shot By His Brother.

Special to The Observer.

Concord, Jan. 9.—While rabbit hunting this afternoon about 5 o'clock Hugh Burrage, about 18 years of age, accidentally shot his brother, John Burrage, aged 20. The entire load, including the wadding, lodged in the young man's left kidney, making a wound the size of a silver dollar and three inches deep. The wound is a serious one but is not considered fatal, unless complications set in. The boys were on the land of their father, Mr. J. M. Burrage, near the Three Mile branch and only a short distance from their home.

They had stopped in a sage field and lain down. When the dogs jumped a hare, the boys began to run, John in front of his brother. The injured boy wore two coats and two top shirts, which checked the force of the load and prevented it from penetrating the body. He was carried to his home on Meadow street, where the wound was dressed, and he is now resting very well.

Notice.

Having qualified as Administrator of the estate of J. E. Smith, Dec. 1908, I hereby give notice to all persons having claims against the estate of said deceased to exhibit them to the undersigned on or before the 25th day of Nov. 1909, or this notice will be plead in bar of their recovery. All persons indebted to said estate will please make immediate payment. This Nov. 25, 1908. J. J. Stone, Adm. T. W. Folger, Atty.

SIX RIDERS TO HANG

Union City, Tenn., Jan. 7.—With a verdict of guilty in varying degree the jury in the night-riders trials reported at 8:45 p. m. to-night.

The twelve men found Garrett Johnson, Tid Burton, Roy Ranson, Fred Pincon, Arthur Cload, and Sam Applewhite guilty of murder in the first degree with mitigating circumstances, and Bud Morris and Bob Huffman, the other defendants, guilty of murder in the second degree and fixed their punishment at twenty years in the penitentiary. The punishment of the six first named defendants was left to the court and may be death or life imprisonment. The defense filed a motion for a new trial which was set for hearing Saturday and which will be overruled, as indicated by the court when sentence will be pronounced. The court will sentence the six first named defendants to death.

JURY AGREES QUICKLY.

The jury had been out since 2 p. m., but because of the illness of Juror Rosson had not been able to consult until 6 p. m. There was a difference of opinion among the jurors as to the degree of guilt of the defendants but an agreement was reached quickly.

Court was convened at 6 p. m. and the jury sent word that it would be able to report shortly. The room was crowded, as it was during the argument. The minutes passed and at 8:15 p. m. the bailiff called for the county physician. Juror Rosson was in a state of collapse and needed attention. It was half an hour before Rosson was revived. The jury filed in and six deputies were summoned to carry in the bed upon which the sick juror reclined. The foreman announced the verdict, which was made and the judge dismissed the jurors. Rosson's condition is such that it was deemed inadvisable to move him tonight.

MOVE FOR NEW TRIAL.

The defense demanded until Monday to move for a new trial but the State opposed it and the court fixed Saturday as the day, intimating that the motion was a mere form anyway, which would be overruled.

The defendants took the verdict with calmness, as they had been expecting it since the closing of the arguments. Attorney Pierce turned to them when it was announced and said: "We will tear this case to pieces in the Supreme Court."

The State expected a verdict of first degree murder in all eight cases and was visibly disappointed. Bob Huffman, one of the men to escape with twenty years, is the man who according to the confession of Frank Fehringer, fired the shot which killed Captain Ranken as he was being drawn up by the rope.

When the jury's readiness to report was announced the military quickly surrounded the court house and a detail of soldiers with revolver holsters open, was deployed around the walls of the court room, but aside from a whispered buzz of conversation, there was no demonstration. The prisoners were quickly handcuffed and under military escort taken to prison. The verdict is considered a compromise one and no trouble is feared by the authorities.

END OF NOTABLE TRIAL.

Thus is ended in the lower court, one of the most vigorously contested and notable criminal trials ever heard in this State, the outcome of a reign of lawlessness, the culminating act of

which being that of which men were found guilty, calling forth the mustering in of the militia of the State, under the personal direction of Governor Patterson, to the aid of the civil authorities in the ferreting out and the taking into custody of those who were charged with the commission of the crime, the so-called "night-rider clan" of Reel Foot Lake.

The operations of the night-rider band began with the burning of fish docks extending to the inflicting of corporal punishment on those whom the leaders in their counsels deemed guilty of actions in opposition to the wishes of the clan, finding a climax in the lynching of Captain Ranken. Ranken and an associate stockholder of the West Tennessee Land Company, Col. R. Z. Taylor, an aged man and one of the most prominent men of the northwestern section of Tennessee, had come to the lake region to conclude a deal as to the sale of some timber lands, the property of the company.

STORY OF TRAGEDY.

The night-riders, composed largely of the fisher folk of Reel Foot lake, which is owned by the land company, were especially aggrieved against the land company because of the refusal to allow the fishermen to ply their vocation at will in the waters of the lake. This they charged largely to Captain Ranken and Colonel Taylor. According to the evidence during the trial, when it was learned that the two were to spend the night in the lake region the band was told to meet at a designated point and toward midnight, they donned their fantastic garbs of long cloaks and masks and marched to the Walnut Log Hotel, where Captain Ranken and Colonel Taylor had quarters. Forcing them to hastily don their clothes, it is related they marched them to a secluded spot among the wooded recesses of the lake. Here a short parley ensued and not reaching a satisfactory termination to the riders the rope by which Ranken was led from the hotel, was thrown over a forked limb of a tree and the man drawn into the air. A volley of shots followed and within a few seconds Ranken was dead. In the meantime Taylor had pleaded for the release of Ranken and his substitution. When he saw the men were determined to kill both he made a dash for liberty swimming the bayou, on the banks of which the lynching occurred, and though several volleys from a score of rifles followed him he succeeded in escaping, reaching a place of safety after thirty-six hours spent in the marshes.

GOVERNOR PATTERSON BUSY.

Two days later Governor Patterson and two companies of State troops began the work of hunting down the perpetrators. Arrests by the wholesale were made and the county was placed under military rule. A military post was established at Reel Foot lake and those who were arrested were held practically incommunicado. Several of those arrested confessed and gradually those who were deemed not guilty were weeded out and allowed to return to their homes.

The ten men held most responsible for the raids of the band were taken to Nashville for safekeeping and in the jails there two of them died. The other eight sought release under writs of habeas corpus and were ordered set at liberty on the charges, on which they were held, other than that of the killing of Captain Ranken. When they were

returned to Union City to be released, however, indictments charging murder had been returned and they were immediately re-arrested.

MILITARY AIDS COURT.

Their trials began a month ago and the court was under the protection of the military. During the sessions armed soldiers were constantly on guard and during the night the men were under the care of the military as were others held to await trial. During the trials several of the alleged members of the band told of the working of the clan and of the raids, describing the murder of Captain Ranken, showing it to have been most brutal. These will be granted pardon.

The defendants were represented by Rice V. Pierce and other prominent attorneys who exerted every legal effort in the aid of their clients and as a defense sought to establish alibis. The case of the State was cared for by Attorney General Caldwell and other attorneys.

The present term of court is the second term called to consider the night-rider cases. The first term was called immediately on the arrival of the troops and its legality, because of a failure to announce the fact of its convening in advance was questioned.

Riders are Sentenced.

Union City, Tenn., Jan. 9.—Judge Jones to-day imposed the death penalty on Garrett Johnson,

Sam Applewhite, the night-riders who were found guilty of the murder of Captain Quentin Ranken, and sentenced Bud Morris and Bob Huffman, the two other defendants, to life imprisonment.

The attorneys for the defense immediately gave notice of an appeal to the State Supreme Court. If this tribunal does not interfere the first named six men will be hanged the 19th of February. In appealing to Judge Jones to-day for a new trial the defense attacked the competency of jurors McKinney and Dahnke asserting that they had expressed opinions as to the guilt of the parties on trial and that Dahnke was a resident of the State of Kentucky. It was also claimed that Juror Rosson, who was ill, was thus incompetent to pass upon the guilt or innocence of the accused.

After having heard the testimony of three witnesses introduced by the defense in an effort to prove that Juror McKinney had expressed an opinion as to the guilt of the convicted men the State proved by the members of the jury that he insisted on mitigating circumstances being included in the verdict.

The contentions in regard to Jurors Rosson and Dahnke were later withdrawn and the motion for a new trial was quickly overruled. Perfect silence prevailed in the court room during the pronouncing of the sentences. The defendants, each in turn arose, pale and worn, and received the words of Judge Jones.

The court then directed the sheriff to see that the defendants be carefully looked after and a proper guard be supplied. Court then adjourned.

Wilkes Method of Road Making.

Greensboro, Jan. 7.—H. M. Hamby, of Wilkes county, was in Greensboro yesterday and told of a road-working that smacks of the good old days when the neighbors all chimed in to roll logs, shuck corn, thrash wheat and do other work where the service of more than one person was required.

In the incident of which Mr. Hamby tells, a lumber firm is operating a saw-mill on the bank of a stream up on the side of the Blue Ridge, and in order to get the lumber out, it is necessary to build a few miles of road. The road is badly needed in the community for other purposes than hauling lumber and the sawmill people, realizing this fact, seized the opportunity to invite the people to construct the road. Everybody in the community was invited to meet at a certain point to begin the work. The lumber firm let it be known that a turkey dinner would be served with plenty of sauce, and probably other "refreshments" that Wilkes people like.

The result was that almost the entire population came with axes, mattocks, picks, shovels, plows and oxen and nearly half of the road was made the first day. The women came, too, to help prepare the dinner, and according to the report a feast was served out in the wilds on the mountain side, the prospects of which would get a full day's work out of the laborer.

There are none in this section of the country, who were the best people of the community who went to help the sawmill people and to build a road for their community without other reward or hope of reward.

Mr. Hamby says that the performance will be repeated until the road is finished.

In Wilkes county many of the old customs are yet practiced. Cornshuckings, log-rollings, quiltings and other cooperative undertakings are quite frequent. Such occasions are often made important social events. After the task or undertaking is finished the country maidens and rural lads come together for the old Virginia reel dance and for what is known among them as the jig dance. The "fiddle" and "banjo picker" are important personages at such functions.

Mr. 'Possum Comes' Between Newly Wed Couple.

Gastonia News.

Mr. and Mrs. William Franklin Long have separated after a married life of eight days. The wife has returned to her own home. She was Miss Roxie Christine and she and her husband married after one day's acquaintance. The immediate domestic trouble arose over the cooking of a 'possum. Mr. Long bought a 'possum up town the other day and took it home and Mrs. Long refused to cook the marsupial, and left her home.

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