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## WHITE MAN LYNCHED BY INFURIATED MOB AT WADESBORO TODAY Need Not Deliver on Switch Rules Issued on Lynchers of Say They Are Worst Outside

Brother-in-Law Done to Death by Citizens

# GLENN SENDS JUDGE

Two Hundred Men Visited Jail, Knocked Sheriff Insensible, and Strong Prisoner To Limb, Rid TO FIX BLAME FOR Recent Trial Jury Failed . To Agree On Verdict and Community Was Outraged .-- Judge Shaw Delegated To Make Special Inquiry.

(Special to The Evening Times.) Wadesboro, N. C., May 28.—This the Ledger-Dispatch from Fortress morning about 2 o'clock a mob of Monroe, Va., today states that Rear battered down the doors to the county jail and secured J. V. Johnson, who some time ago murdered his of the Rhode Island when she groundbrother-in-law, Mr. Quinn Johnson. J. V. Johnson was taken out into the a tree and his body riddled with bul- days, and some interesting develop-

At the last term of court J. V was reached, the jury having stood nine for murder in the first degree, two for the second and one for acquittal. The people throughout the county at the time of the murder were very indignant over the brutaloutcome of the trial.

GOV. GLENN SHOCKED;

SENDS JUDGE TO SCENE Governor Glenn was informed of the lynching this morning through a telegram from Solicitor L. W. Robinson of Wadesboro, and was asked to designate some judge to go at once punishment of the lynchers. The Wadesboro for this purpose.

In speaking of the lynching Governor Glenn declared that he was being taken off by the tug Lutz, and greatly shocked and distressed by the four by the life saving crew. outrage which was without the least bit of justification since he had already made an order for a special THE RETIREMENT trial of Johnson, the victim of the lynchers.

### JOPLIN BANK CLOSED TODAY.

(By the Associated Press.) Joplin, Mo., May 28 .- The Joplin Savings bank was closed this mornaggregate \$84,000; capital \$10,000. The assets are small.

George W. Layne, presidaet of the bank, issued a statement pledging to pay every depositor in full. It is stated that failure resulted from rethe condition of the ban t.

#### SELECTING SITE FOR THE JAMESTOWN MONUMENT.

(By the Associated Press.) Norfolk, Va., May 28.-Secretary of War Taft, who arrived in Hampton Roads from Washington Sunday morning on the United States dispatch b a Dolphin, proceeded from there on the naval tug Wahneta, from this navy yard to Jamestown, Va., where he is selecting a sife for a monument to mark the location of the first permanent English settlement in the United States, for which congress has ap-propriated \$50,000. With Secretary Taft on the trip are Supervising Architect Taylor of the treasury department: Captain Spencer Mosby, corps of engineers, and others. The party returns to Washington today aboard the Dophin, arriving there tomorrow.

Mrs. Davis Still Improves. (By the Associated Press.) New York, May 28.-The improve much better, continued today.

# J. V. Johnson, Who Killed MORGAN JUMPS

(By the Associated Press.) Washington, May 28.—Senator Mor-gan today, speaking on the Pasama Canal resolution, said there had been an abuse of power by the president in

the zone. No member of congress, he said, would dare introduce a bill for a lay o earry out what the president had

# WARSHIP'S GROUNDING

(By the Associated Press.) Norfolk, Va., May 28.-A special to

some 200 citizens, after having Admiral Charles N. Sigsbee, president, knocked insensible Sheriff . Boggan, and other members of the court martial which is to try Captain Perry Garst commander, and Lieutenant Commander Edward T. Witherspoon, navigator ed on York Spit, Va., May 6, boarded the Rhode Island in Hampton Roads at noon when the court convened. The suburbs, where he was strung up to trial is epected to continue for several nents are auticipated.

Captain Garst and Lieutenant Commander Witherspoon are being tried Johnson was tried, but no verdict jointly for the purpose of finding the reship, the trial being behind closed doors. The trial court is composed of ollows: Rear Admiral Sigsbee, president; Rear Admirals Joseph E. Craig. Charles N. Thomas, William W. Mead, and Asa Walker; Captains Robert M Berry, William Emory, Benjamin F. CABINET OF AUSTRIAity of the deed and later over the Berry, William Emory, Benjamin F Lieutenant Commander Thomas Snow den as judge advocate.

#### SCHOONER SANK OFF CLEVELAND

(By the Associated Press.) Cleveland, O.., May 28.—Buffeted to bringing about the arrest and Wilson sprang a leak and sank just outside the Cleveland breakwater. governor telegraphed Judge Thomas One sailor, whose name has not yet J. Shaw directing him to go to been learned, was drowned. Seven other members of the crew were rescued after a hard fight, three of them

# OF JUSTICE BROWN

(By the Associated Press.) Washington, May 28.-Official announcement of the retirement of Justice Brown from the supreme court ing by State Bank Examiners Wade of the United States was made today and Cook under instructions from by Chief Justice Fuller before the adthe secretary of state. The deposits journment of the term. In making the publicity regarding election expenses. statement he gave out the correspond- It is quite an elaborate measure, and ence between the retiring justice and provides to whom contributions shall the court, in which the eight colleagues of Justice Brown expressed their high tees. appreciation of him as a justice. Justice Brown replied in fitting terms to the members of the court, thanking ports circulated recently regarding them for their expressions of good will. The term of the supreme court the United States, which began last October, came to a close today, all the cases undisposed of being continued as usual. The next term will begin on

## WARSHIPS ARRIVE AT PANAMA TODAY

(By the Associated Press.) Washington, May 28.—The cruiser Columbia, with four hundred marines diplomatic audiences have been indifiaboard, arrived at Colon today. The nitely postponed owing to the illness of Marblehead also is on its way to the the emperor. While his health has been Isthmus of Panama, and should arrive bad for months, and many alarming at Panama today, as the navy depart- rumors have recently been circulated. ment is advised of the sailing of the his condition is not believed to be criteruiser from Punta Arenas, Costa ical. Rica, for Panama on Saturday. Although the Marblehead carries only a small squad of mari nes and cannot add material strength to a land inovement against any revolutionary demonstrament in the condition of Mrs. Jefferson tion in Panama, the vessel will afford Davis, who was reported yesterday as protection to Panama harbor and the Michael Davitt, which causes the gravest anxiety. capital city of the little republic.

# SOUTHERN WINS CONTEMPT OF MR. STANLEY ON EIGHT WERE KILLED COAL CAR CASE SUPREME COURT TOBACCO TRUST

at Greensboro

## **OPINION**

State Commissioners May Reasonably Regulate Delivery of Freight Within State, but May Not Impose Burden On Commerce Between States, as This Was.

(By the Associated Press.) Washington, May 28.-The supreme ourt of the United States today de elded the case of the North Carolina orporation commission versus the Southern Rallway Company in favor of the railroad company. The case involved the right of a state to compel a railroad company to place its cars on reacks designated by the state authorities for the benefit of individual the eastern district of Tennessee,

It was instituted by the corporation gommission against the railroad company because of the refusal of the latcoal cars be placed on a certain switch at Greensboro, N. C. The company expressed its willingness to place the cars on other switches, but pleaded inability to comply with the demand as to the particular switch. The railroad company attacked the law as unconstitutional on the ground that it involves an interference with interstate ommerce, and the circuit court Sustained this position. That decision was affirmed by today's opinion, which was delivered by Justice White. In his opinion Justice White said that state railroad commissioners have authority to reasonably regulate the delivery of freight within the state, but not to the extent of imposing a burden on commerce between the states, as was the case in this instance,

(By the Associated Press.) Vienna, May 28.-Premier Prince Conariff of Austria-Hungary.

been reached was unfounded.

Count von Condenhove, governor of in charge only the night jailer, Deputy Bohemia, has been summoned to Vienna. It is regarded as probable that he will be charged to form a new ministry

## REPORT FAVORABLY THE GAINES BILL

(By the Associated Press.) Washington, May 28.—The house committee on election of president, vice-president and members of congress today authorized a favorable report on the bill of Representative Gaines of West Virginia, providing for be made and defines political commit-

### SPIER DENIES CHANGE OF BASE.

South Carolina newspapers printtemplated by the Southern Bell Tel- should not be punished as and for a ephone Company and it was stated contempt of this honorable court." that Morgan B. Spier, district superintendent at Charlotte, would be transferred to Raleigh. Mr. Spier. however, says that he has heard nothing official about the change and consequently he denies it.

#### Audiences Postponed. (By the Associated Press.)

Pekin, May 28-The customary spring

Michael Davitt's Condition. (By the Associated Press.) Dublin, May 28.—There is no change today in the condition of

# **Ed Johnson** of Penitentiary

## WHITE SHERIFF IS INCLUDED HOT ON THEIR TRAIL

Johnson, Under Death Sentence, Had Been Allowed Appeal By U. S. Supreme Court-Was Lynched in Chattanooga the Same Night of Court's Decision-Moody Acted

(By the Associated Press.) ment has taken steps to punish the persons who are responsible for the tynchings in Chattanooga, Tenn., on March 19 last of the negro Ed Johnson, who, under the sentence of death for rape, had been allowed an appeal by the

sue a rule upon each of them to show for contempt of the court.

quiette, William Beeler, Claud Powell, passage of the resolution now.

Charles J. Powell, "Bart" Justice, John Jones, A. J. Cartwright, Henry Padgett. William May, Frank Ward, John Varnell and Alfred Hammond.

was alleged among other things that lation of the lifth and sixth amendments to the constitution, and other rights under the fourteenth amendrights under the fourteenth amend-ment; and the order of the court of SMOOT PROTESTS March 19 allowing the appeal to the supreme court; and the fact of the telegraphing of the order of the court to John F. Shipp, sheriff of Hamilton county, who had Johnson in charge, and the publication of the action of the court in Chattanooga evening papers ad von Hohenlohe-Schillingsfuerst and of that date, the attorney general statthe cabinet have resigned because of ed that the sheriff and his deputies had the nineteenth the usual guard and left

Sheriff Gibson. It was also stated that about 9 o'clock of that night the defendants and a large number of other persons combined and conspired together to lynch and murder Johnson, with intent to show their contempt and disregard for the order of the court, and for the purpose of preventing the prisoner from exercising a right secured to him by the laws and constitution of the United States.

The facts attending the lynching are given in the information filed, and the statement is made that although Sher was in possession of a mob, neither he nor Deputy Gibson did anything to prevent the lynering but he for the form vent the lynening, but in fact aided those engaged in it.

The attorney general closed as fol-

"Wherefore, the United States America, the complainants herein, through their attorney general, respectfully request this honorable court that in consideration of the acts committed The court granted leave to file as re-

quested, making the rule returnable on court, October 15 next.

## ANOTHER UPRISING STARTS IN KOREA

(By the Associated Press.) Tokio, May 28.-Another incipient reto be the mest serious thus far started. the crew is unknown.

### Neither Standard Oil, Pennsylvania Railroad Or Any Other Combina tion Of Men Out of Penitentiary Have Openly Violated Law As A.

(By the Associated Press.) Washington, May 28.—The American Tobacco Company, the Continen-Washington, May 28-The govern- tal Tobacco Company and the Imperial Tobacco Company were the subject of a scathing denunciation at the hands of Mr. Stanley (Ky.) today in the house of representatives. Speaking to his resolution, which United States supreme court from the calls upon the president to furnish end of a car then sagged into the hole circuit court of the United States for the house with any information the on top of the cross tie. When the car In the supreme court today Attor- may have as to the combination be- taken out life was extinct. The other ney General Moody filed an information tween the tobacco companies above requesting that, in consideration of the named in violation of the act in reacts committed by parties named, it is straint of trade, Mr. Stanley stated

he did not seek to push his resoluter to obey an order directing that cause why they should not be panished tion at this time. He had beer, in The persons named as defendants are consultation with Commissioner Gar-John F. Shipp, Frank Jones, Matthew field of the department of commerce Galfoway, C. A. Baker, T. B. Taylor, and labor, and had learned that the Fred Fauley, George Brown, Jeremiah bureau of corporations was "hot on Gibson, Marion Perkins, Joseph Clark, the trail of these companies," and "Nick" Nolan, "Sheenle" Warner, Lu-ther Williams, Jaul Pool, William Mar-earth, he would not insist upon the

> Mr. Stanley said that "neither the Standard Oil Company or the Pennsylvania Railroad Company or any After reciting the facts of the arrest, other combination of men outside of corpus by the circuit court, in which it Company during 'he past two years.'

> He made the statement that it was the petitioner had been denied a trial the most perfectly organized combiby a fair and impartial jury, and had been denied the aid of counsel, in vioers of the American people

Washington, May 28,—Protests against the retention of Reed Smoot as to Wadesboro and institute a rigid by the fierce storm that swept Lake dissatisfaction with the proposals for every reason to believe, from current a senator of the United States flooded investigation of the affair with a view Eric early today, the schooner Mabel | the settlement of the common customs | reports that rumors conveyed to them | the senate today. The petitions came that an attenual would be made to from various states. All were prepared The prince says that yesterday's an- lynch Johnson, and that notwithstand- in neat form, enclosed in handsome nouncement from the Hungarian side ing these facts the sheriff withdrew to the effect that an agreement had from the jail early in the evening of trimmed with brass fastenings. The trimmed with brass fastenings. The every case, and were presented as fol-

> "Minnerota, by Senator Clapp, there were 6,802; Indiana, by Senator Hemenway, 8,341; New Hampshire, by Senator Gallinger, 3,265; Kentucky, by Senator Blackburn, about 2,800; Alabama, by Senator Morgan, 801; Kansas, by Senator Long, 14,862; North Carolina, by Senator Simmons, 2,098, It is said that during the week similar petitions will be received from

## every state and territory in the United APARTMENT HOUSE

(By the Associated Press.) New York, May 28 .- A fire which did upon the question of the permanent small property damage, but caused the loss of one life and narrow escapes that to be in New York regardless of by the above named defendants and from death of four firemen, occurred each of them, as hereinbefore set forth, early today in an apartment house at it will issue and direct the marshal of 241 west 162nd street. Leaking gas this court to serve upon said defendants caused a fire to start in the basement and each of them a rule to show cause, and a parrot gave the first alarm to ed a report Sunday concerning if any there be, on a day certain why the tenants. Although the fire was changes which were said to be con- said defendants and each of them confined to the basement four firemen were carried out unconscious from gasfumes, and the tenants were compelled

Charles K. Northrup, a broker, who the second Monday of the next term of had been ill with an attack of heart trouble, died during the excitement.

## COLLISION IN

(By the Associated Press.) volt has been started in Korea, this above deck, and was swinging in the the tidewater canal at Port Arthur, time at Hongju, where several hun- rigging between the fore and mizzen- said to have cost \$1,300,000. The rain fell, the heaviest fall for this late dred rebels have apparently seized masts. The crew had abandoned the bill authorizes the secretary of war season of the year since 1884. and are holding the town. Hongiu is schooner, which was settled low in the to acquire title to this property, and protected by strong walls, and it will water, and the steamer pilot boat New also to acquire from the state of be impossible to take it without artii- York towed her into port. The Annie Texas the control of the waters of the Japanese have dispatched a force to to New York, and was built at Buckscope with the rising, which is reported port, Me., in 1873. The whereabouts of accomplished, Port Arthur will be Eddy streets for a time, were flooded

# IN A WRECK TODAY IN LOUISVILLE YARD

# KILLED TODAY

(Special to The Evening Times.) Wilmington, N. C., May 28,-Adolphus Merritt, twenty three years of age, son of Cicero Merritt, of Magnolia, was killed this morning while at work in the Atlantic Coast Line freight yards. Young Merritt with four others was in an excavation, building a butting block at the end of a scale track. A string of cars was sent down the track, and failing to be stopped, hurled ritt across the back, felling him. The department of commerce and labor was jacked up and the young man men escaped without injury.

(By the Associated Press.) Washington, May 28.-Guatemala is threatened with a revolution which may endanger American interests in the republic, according to dispatches received at the state department today from rallway and dock property in Guatethe northern part of the republic, near bruised; F. G. Parks Louisville. the Mexican frontier, but the cause is internal.

Troops are being massed by the revoeigners with property interests in the

republic are much alarmed.

Unrest has prevailed in the little republic for some time and the state department has had intimations from time to time that an insurrectionary movement might be expected

(By tre Associated Press.) Washington, May 28.-The case of the New York Central Railroad Com-Holmes. The tax authorities of the state levied

that state. The railroad people on the the names of any of the dead. other hand contended that on an average not to exceed two-thirds of th rolling stock is engaged within the VOTE FOR SENATOR tacked as repugnant to the constitution in that it violates the commerce clause: trat it is an impairment of conracts; that it deprives of private property without due process of law, and in that it is a denial of the equal protection of the law. The decision turned situs of the cars, and this court held their absence much of the time,

## PORT ARTHUR, TEXAS, A PORT OF ENTRY

(By the Associated Press ) Washington, May 28 .- The house committee on ways and means today settled the long pending controversy between Port Arthur and Sabine N. Y. HARBOR. Pass, Texas, in their desires each to become a port of entry, in favor of

Port Arthur. New York, May 28.-When a heavy A bill was authorized favorably fog lifted today near Sandy Hook the reported which accepts the offer of and surrounding country Saturday schooner Annie R. Lewis was sighted John W. Gates, made on behalf of night and Sunday, damaging the truck with her starboard side stove in from the effects of a collision. The main the Kansas City Southern Railway, ing much discomfort and misery to must was cracked off about fifteen feet und which gives to the United States come a port of entry.

Passenger Train from Knoxville Derailed as it Backed Into Union Station

## FLANGE SPLIT ON SMOKING CAR WHEEL

Some Twelve or Fifteen Are Injured. Plunge of Smoker Uncoupled Engine, Baggage and Express Car-Smoker and Two Day Coaches Jumped Track and Crashed Into Freight Train on Siding.

(By the Associated Press.)

Louisville, Ky., May 28 .- An inbound passenger train from Knoxville, Tenn., on the Louisville & Nashville Railroad, was derailed with fatal effect at Seventh and Hill streets today, as it was backing through the yards into the Louisville union station.

Eight persons were killed and twelve or fifteen injured, one of them probably fatally.

Among those injured are: C. Frances Price, Pineville, Ky., fractured arm and bruises; Henry Buchconviction and sentence of Johnson, the the penitentiary have openly violat- Minister Cocabs and Schwartz and com- ter, Pineville, bruised; Lucy Buchdenial of his petition for writ of habeas ed the law as the American Tobacco pany, an American concern owning ter, Pineville, fractured ribs; S. B. tsala. The scene of the trouble is in Buchanon, Crab Orchard, Ky.,

There are seven bodies at one undertaking establishment, so mangled futionists in such numbers that for- that it will be some time before they can be identified.

The train left Knoxville last night. and was due in Louisville at 8 a. m., and was on time.

It had passed Magnolia street, and was proceeding at a moderate speed, when a flange on a wheel of the smoking car split, causing the car to leave the track. The plunge of the smoker uncoupled the engine, baggage and express car.

The smoker and two day coaches jumped the track and crushed into a freight train on a siding and were badly damaged. The sleeping cars pany vs. N. L. Miller, comptroller of from Knoxville and Nortonville left the state of New York, involving the the track also, but were not dam-New York state law imposing a fran- aged, and their occupants were unchise tax on railroad property in that hurt. All of those killed met death state, was decided by the supreme in the smoker and day coach. It is court today favorably to the state, the opinion being delivered by Justice smoking car was killed smoking car was killed.

Officials of the Louisville & Nashthe tax on all the rolling stock of the ville say there were eight persons company on the theory that none of killed and a number injured, but up it is continuously comployed outside to 11 o'clock they had not learned

# IN DELAWARE AGAIN

(By the Associated Press.) Dover, Del., May 28 .- Governor

Preston Lea today issued a formal call for a special session of the Delaware legislature to convene at Dover on Thursday, May 31. Interest centers in the section of the call relating to the balloting for a United States senator. The belief prevails that the deadlock on the senatorship which has existed for more than two years will be broken and that the state will be again represented by its full quota in the upper branch of congress.

#### HEAVY RAIN FLOODS ALL SAN FRANCISCO.

(By tre Associated Press.) San Francisco, Calif., May 28 .- A heavy rain storm swept over the city ing much discomfort and misery to One and fifteen-hundredths inches or

In several parts of the city refugees camped in low places were driven out of their tents by the rush of water. Several stores on Fillmore street, which was impassable between Post and and many cellars were inundated.