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## WHITE MAN LYNCHED BY INFURIATED MOB AT WADESBORO TODAY

### J. V. Johnson, Who Killed Brother-in-Law Done to Death by Citizens

### GLENN SENDS JUDGE ON INVESTIGATION

Two Hundred Men Visited Jail, Knocked Sheriff Incurable, and Strung Prisoner To Limb, Riddling His Body With Bullets.—At 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 morning about 2 o'clock a mob of some 200 citizens, after having knocked insensible Sheriff Hoggan, battered down the doors to the county jail and secured J. V. Johnson, who some time ago murdered his brother-in-law, Mr. Quinn Johnson. J. V. Johnson was taken out into the suburbs, where he was strung up to a tree and his body riddled with bullets.

At the last term of court J. V. Johnson was tried, but no verdict 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 brutality of the deed and later over the outcome 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 to Wadesboro and institute a rigid investigation of the affair with a view to bringing about the arrest and punishment of the lynchers. The governor telegraphed Judge Thomas J. Shaw directing him to go to Wadesboro for this purpose.

In speaking of the lynching Governor Glenn declared that he was greatly shocked and distressed by the outrage which was without the least bit of justification since he had already made an order for a special term of Anson county court for the 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 morning by State Bank Examiners Wade and Cook under instructions from the secretary of state. The deposits aggregate \$54,000; capital \$10,000. The assets are small.

George W. Layne, president of the bank, issued a statement pledging to pay every depositor in full. It is stated that failure resulted from reports circulated recently regarding the condition of the bank.

### 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 boat Dolphin, proceeded from there on the naval tug Wabnet, from this navy yard to Jamestown, Va., where he is selecting a site for a monument to mark the location of the first permanent English settlement in the United States for which congress has appropriated \$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 Dolphin, arriving there tomorrow morning.

### Mrs. Davis Still Improves.

(By The Associated Press.)  
New York, May 28.—The improvement in the condition of Mrs. Jefferson Davis, who was reported yesterday as much better, continued today.

## SOUTHERN WINS COAL CAR CASE

### Need Not Deliver on Switch at Greensboro

### OPINION BY WHITE

#### 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 court of the United States today decided the case of the North Carolina corporation commission versus the Southern Railway 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 tracks designated by the state authorities for the benefit of individual shippers.

It was instituted by the corporation commission against the railroad company because of the refusal of the latter to obey an order directing that coal 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 commerce, 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.

## CABINET OF AUSTRIA- HUNGARY RESIGNED

(By The Associated Press.)  
Vienna, May 28.—Premier Prince Conrad von Hohenlohe-Schillingfuerst and the cabinet have resigned because of dissatisfaction with the proposals for the settlement of the common customs tariff of Austria-Hungary. The prince says that yesterday's announcement from the Hungarian side to the effect that an agreement had been reached was unfounded.

## 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 publicity regarding election expenses. It is quite an elaborate measure, and provides to whom contributions shall be made and defines political committees.

## SPIER DENIES CHANGE OF BASE.

South Carolina newspapers printed a report Sunday concerning changes which were said to be contemplated by the Southern Bell Telephone Company and it was stated 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 diplomatic audiences have been indefinitely postponed owing to the illness of the emperor. While his health has been bad for months, and many alarming rumors have recently been circulated, his condition is not believed to be critical.

## Michael Davitt's Condition.

(By The Associated Press.)  
Dublin, May 28.—There is no change today in the condition of Michael Davitt, which causes the gravest anxiety.

## CONTEMPT OF SUPREME COURT

### Rules Issued on Lynchers of Ed Johnson

### SHERIFF IS INCLUDED

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 Today.

(By The Associated Press.)  
Washington, May 28.—The government has taken steps to punish the persons who are responsible for the lynchings in Chattanooga, Tenn., on March 12 last of the negro Ed Johnson, who, under the sentence of death for rape, had been allowed an appeal by the United States supreme court from the circuit court of the United States for the eastern district of Tennessee.

In the supreme court today Attorney General Moody filed an information requesting that, in consideration of the acts committed by parties named, it be set as a rule upon each of them to show cause why they should not be punished for contempt of the court.

The persons named as defendants are John F. Shipp, Frank Jones, Matthew Galloway, C. A. Baker, T. B. Taylor, Fred Fauley, George Brown, Jeremiah Gibson, Marion Perkins, Joseph Clark, "Nick" Nolan, "Shoone" Warner, Laquette, William Beeler, Claud Powell, Charles J. Powell, "Bart" Justice, John Jones, A. J. Cartwright, Henry Padgett, William May, Frank Ward, John Varnell and Alfred Hammond.

After reciting the facts of the arrest, conviction and sentence of Johnson, the denial of his petition for writ of habeas corpus by the circuit court, in which it was alleged among other things that the petitioner had been denied a trial by a fair and impartial jury, and had been denied the aid of counsel, in violation of the fifth and sixth amendments to the constitution, and other rights under the fourteenth amendment; and the order of the court of 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 of that date, the attorney general stated that the sheriff and his deputies had every reason to believe, from current reports that rumors conveyed to them that an attempt would be made to lynch Johnson, and that notwithstanding these facts the sheriff, without delay from the jail, early in the evening of the nineteenth the next day and left in charge only the night jailer, Deputy 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 Sheriff Shipp returned to the jail while it was in possession of a mob, neither he nor Deputy Gibson did anything to prevent the lynching, but in fact aided those engaged in it.

The attorney general closed as follows: "Wherefore, the United States of America, the complainants herein, through their attorney general, respectfully request this honorable court that in consideration of the acts committed by the above named defendants and each of them, as hereinbefore set forth, it will issue and direct the marshal of this court to serve upon said defendants and each of them a rule to show cause, if any there be, on a day certain why said defendants and each of them should not be punished as and for a contempt of this honorable court."

The court granted leave to file as requested, making the rule returnable on the second Monday of the next term of court, October 15 next.

## ANOTHER UPRISING STARTS IN KOREA

(By The Associated Press.)  
Tokyo, May 28.—Another incipient revolt has been started in Korea, this time at Hongju, where several hundred rebels have apparently seized and are holding the town. Hongju is protected by strong walls, and it will be impossible to take it without artillery. At the request of the Koreans the Japanese have dispatched a force to cope with the rising, which is reported to be the most serious thus far started.

## MR. STANLEY ON TOBACCO TRUST

### Say They Are Worst Outside of Penitentiary

### HOT ON THEIR TRAIL

#### Neither Standard Oil, Pennsylvania Railroad Or Any Other Combination Of Men Out Of Penitentiary Have Openly Violated Law As A. T. Co.

(By The Associated Press.)  
Washington, May 28.—The American Tobacco Company, the Continental 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 calls upon the president to furnish the house with any information the department of commerce and labor may have as to the combination between the tobacco companies above named in violation of the act in restraint of trade, Mr. Stanley stated he did not seek to push his resolution at this time. He had been in consultation with Commissioner Garfield of the department of commerce and labor, and had learned that the bureau of corporations was "hot on the trail of these companies," and as he desired to have them run to earth, he would not insist upon the passage of the resolution now.

Mr. Stanley said that "neither the Standard Oil Company or the Pennsylvania Railroad Company or any other combination of men outside of the penitentiary have openly violated the law as the American Tobacco Company during the past two years."

## SMOOT PROTESTS FLOOD THE SENATE

(By The Associated Press.)  
Washington, May 28.—Protests against the retention of Reed Smoot as a senator of the United States flooded the senate today. The petitions came from various states. All were prepared in neat form, enclosed in handsome leather and cloth-bound letter files, trimmed with brass fastenings. The petitions were signed by women in every case, and were presented as follows: "Minnesota, by Senator Clapp, there were 6,892; Indiana, by Senator Hendricks, 8,241; New Hampshire, by Senator Galloway, 3,285; Kentucky, by Senator Blackburn, about 1,200; Alabama, by Senator Morgan, 801; Kansas, by Senator Long, 14,862; North Carolina, by Senator Simmons, 2,098.

## A FATAL FIRE IN APARTMENT HOUSE

(By The Associated Press.)  
New York, May 28.—A fire which did small property damage, but caused the loss of one life and narrow escapes from death of four firemen, occurred early today in an apartment house at 24 West 122nd street. Leaking gas caused a fire to start in the basement, and a parrot gave the first alarm to the tenants. Although the fire was confined to the basement four firemen were carried out unconscious from gas fumes, and the tenants were compelled to leave the house.

## COLLISION IN N. Y. HARBOR.

(By The Associated Press.)  
New York, May 28.—When a heavy fog lifted today near Sandy Hook the schooner Annie R. Lewis was sighted with her starboard side stove in from the effects of a collision. The main mast was cracked off about fifteen feet above deck, and was swinging in the rigging between the fore and mizzen-masts. The crew had abandoned the schooner, which was settled low in the water, and the steamer pilot boat New York towed her into port. The Annie R. Lewis was bound from Norfolk, Va., to New York, and was built at Bucksport, Me., in 1873. The whereabouts of the crew is unknown.

## EIGHT WERE KILLED IN A WRECK TODAY IN LOUISVILLE YARD

### KILLED TODAY AT WILMINGTON

(Special to The Evening Times.)  
Wilmington, N. C., May 28.—Adolphus Merritt, twenty three years of age, son of Cleo 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, lurched across the tie into the hole, striking Merritt across the back, felling him. The end of a car then sagged into the hole on top of the cross tie. When the car was jacked up and the young man taken out life was extinct. The other men escaped without injury.

## REVOLUTION IN GUATEMALA

(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 Minister Coombs and Schwartz and company, an American concern owning railway and dock property in Guatemala. The scene of the trouble is in the northern part of the republic, near the Mexican frontier, but the cause is internal.

## N. Y. CENTRAL MUST PAY FRANCHISE TAX

(By The Associated Press.)  
Washington, May 28.—The case of the New York Central Railroad Company vs. N. L. Miller, comptroller of the state of New York, involving the New York state law imposing a franchise tax on railroad property in that state, was decided by the supreme court today favorably to the state, the opinion being delivered by Justice Holmes.

## 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 Pass, Texas, in their desires each to become a port of entry, in favor of Port Arthur.

## HEAVY RAIN FLOODS ALL SAN FRANCISCO.

(By The Associated Press.)  
San Francisco, Calif., May 28.—A heavy rain storm swept over the city and surrounding country Saturday night and Sunday, damaging the truck gardens, flooding basements and bringing much discomfort and misery to refugees camped out on low ground. One and fifteen-hundredths inches of rain fell, the heaviest fall for this late season of the year since 1884.

### Passenger Train from Knoxville Derailed as it Backed Into Union Station

### A 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 Buchter, Pineville, fractured ribs; S. B. Buchanan, Crab Orchard, Ky., bruised; F. G. Parks Louisville.

There are seven bodies at one undertaking establishment, so mangled 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 crashed into a freight train on a siding and were badly damaged. The sleeping cars from Knoxville and Nortonville left the track also, but were not damaged, and their occupants were unhurt. All of those killed met death in the smoker and day coach. It is reported that every person in the smoking car was killed.

## VOTE FOR SENATOR 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.

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