

Associated Press Service.

The Raleigh Daily Times

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The Weather—FAIR.

RALEIGH, N. C., FRIDAY, MAY 17, 1912.

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FLOYD ALLEN TO PAY PENALTY FOR CRIME

Wytheville, Va., Jury Finds Him Guilty of Murder in First Degree For Shooting Prosecutor Foster

OTHER OUTLAWS WILL BE TRIED IMMEDIATELY

Announced That Remainder of Gang of Anarchists Will Be Given Speedy Trial—Jury Out All Night and Had to Be Admonished by Court That They Had to Find Allen Innocent or Guilty—Crime of Which Allen Was Convicted One Unparalleled in History of Virginia—Sidna Allen and Wesley Edwards Only Members of Clan Not Captured.

Wytheville, Va., May 17.—Floyd Allen was today declared guilty of first degree murder by the jury which tried him for the murder of Prosecutor William M. Foster at Hillsville last March. Allen will pay the penalty for his crime in the electric chair at Richmond. The jury was out all night and it was after 10 o'clock this morning when they agreed.

Jury Decided. When the court opened the jury was called in and the foreman questioned by Judge Stales. The foreman declared there were a number of points of difference existing in the panel and it was doubtful whether a verdict could be reached.

The judge stated that the case was of such magnitude that he felt he must send the jury back with a few words of caution and advice. The judge declared that the jury was sworn to reach only one conclusion—the defendant's guilt or innocence. He said if the jurors lost sight of that issue in the private, individual opinion, they would do wrong to themselves an unintended violence to their solemn obligations and a grave injustice to the accused or the commonwealth.

The jury again retired, and it was but a short time before the announcement that an agreement had been reached. When the court reassembled the foreman announced the verdict.

The verdict was a distinct surprise as it was thought the jury was hopelessly divided. One of the twelve men, it is known, said previous to being summoned for jury duty that "you can't always get justice in the courts and maybe the Allens were not far wrong." The commonwealth's attorneys had made arrangements to arrest him on a perjury charge should he bring about a disagreement.

Sentence was not pronounced on the prisoner, being suspended in order that he may testify in other cases.

The commonwealth will next try Claude Allen on an indictment, charging the murder of Judge Massey. The trial begins Monday. The defendant's attorneys announced after court adjourned that they would ask for a writ of error.

There was barely a handful of people in the court other than the attorneys, detectives and newspaper men when the verdict was announced.

The prisoner's wife sat beside him, dressed in black and wore a large poke bonnet so her face could not be seen.

Allen seemed brighter this morning, evidently expecting a mistrial. He was a picture of despair when the verdict was read.

Other Indictments. Besides the murder indictments against Floyd Allen similar indictments stand against Victor and Claude Allen, his sons; Sidna Allen, Fred Allen, Wesley and Sidney Edwards, Floyd's nephews, and Byrd Marion. All are in jail except Sidna Allen and Wesley Edwards.

The other prisoners will be tried immediately.

WRECK VICTIMS. Are Recovering With the Exception of Mr. Buckner—Other News Notes.

(Special to The Times.) Hickory, May 17.—The condition of Geo. Buckner the baggage master that was seriously hurt in the Connelly Springs wreck yesterday, remains unchanged. He has never regained consciousness but is receiving skillful medical attention at the hospital here. Ticket collector Wrench will be able to be taken to his home in Asheville in a few days. The two colored men and colored woman

are recovering rapidly and will soon be able to be taken to their homes in a few days.

Lieutenants Keever and Huffman and Captain Lyerly of the local military company here are in Raleigh this week attending a short course military instruction school. Capt. Lyerly who was recently elected will stand examination while there.

Rev. S. P. Long, D. D., of Mansfield, Ohio, will preach at Holy Trinity Lutheran church Sunday at 3 p. m. Rev. Mr. Long comes from a city where he preaches to 2,000 people every Sunday.

Mr. E. W. Holdbrook, former editor of The Hickory Democrat are visiting relatives in the city this week. Mr. Holdbrook is now in insurance work in Greenville, S. C.

Miss Upchurch of Raleigh, a popular young lady of Raleigh has accepted a position as saleslady for the Thompson-West Co.

LODGE SUGAR BILL. Gets Favorable Report From the Senate Finance Committee.

Washington, May 17.—The senate finance committee authorized a favorable report on the Lodge substitute for the house free sugar bill, and an unfavorable report on the so-called house excise income tax bill, which proposes a tax on income exceeding \$5,000 annually. The Lodge sugar bill would eliminate the differential and Dutch standard from the tariff and leave the duties otherwise practically as at present.

BODY OF KING HOME. Yacht Bearing Body of King Frederick Arrived at Copenhagen.

Copenhagen, May 17.—The Danish royal yacht Dannebrog, bringing the body of King Frederick, arrived at noon. The coffin was borne ashore by 12 officers and placed in a hearse. A procession formed, headed by a force of cavalry, followed by the royal family. The coffin was placed on a catafalque at the Chapel of Christiansborg Castle. The royal family surrounded the coffin and knelt in prayer for several minutes.

GENERAL YOUNG NAMED BY KENTUCKY GOVERNOR.

Frankfort, Ky., May 17.—Governor McCreary today appointed Gen. Bennett H. Young, commander-in-chief of the United Confederate Veterans, one of Kentucky's commissioners to the blue and gray reunion at Gettysburg next July.

Why Perkins Gives the Money. Bellevue, Ohio, May 17.—President Taft in his speech here, declared that much of the support being given Roosevelt is coming from the men indicted by the Taft administration. Perkins, a director in the steel and harvester trusts, was influential enough in the last administration to prevent action against them. He is not influential enough now. He is a contributor to Roosevelt's political fund.

The Presbyterian Assembly. Louisville, May 17.—Commissioners to the 124th general assembly of the Presbyterian Church of the United States of America, undertook a big volume of business when the convention assembled today. The usual reports of boards and committees and list of overtures were laid before the assembly by the state clerk, Dr. Roberts.

Permission to Advance Rates. Washington, May 17.—The interstate commerce commission granted to the railroads operating in the southwest permission to advance, by approximately 10 cents a hundred pounds, their transportation charges on cotton and cotton linters from Texas and points to New Orleans. The new rates become effective June 1.

Roosevelt in Ohio. Chillicothe, Ohio, May 17.—"Our opponents are not the real republicans we are," said Colonel Roosevelt, speaking at Portsmouth. "There never was a man who trusted the people more implicitly than Abraham Lincoln; Mr. Taft has tried the dangerous experiment of improving on the words of Lincoln."

Will Resume Work in Coal Fields. Wilkesbarre, Pa., May 17.—That suspension in the coal fields will soon end, is indicated by developments in the anthracite miners' convention. The majority of the delegates will ratify the agreement between the miners and the operators.



SENATOR'S WIFE ARDENT SUPPORTER.

Mrs. Alice Pomeroy, wife of the United States senator from Ohio, is regarded today as one of the most active suffragists in Washington, and capital social leaders invariably turn to her when seeking suffrage information. Possessed of a keen wit, she is a dangerous opponent to anti-suffragists in debates. She has the record of never having been bested in argument over votes for women.

Richeson Will Die Next Week. Boston, Mass., May 17.—Clarence V. T. Richeson, Avis Linnell's slayer, slept quietly in his cell at the death house in Charlestown prison last night, totally ignorant that the governor had refused commutation of sentence. Announcement of the alienists' decision that he was sane and that the governor would not urge clemency was left to be made to the prisoner today. Richeson's execution probably will occur early next week. There is a prevalent sentiment against a Monday morning execution as occurring too close after Sunday. The time of the execution within the week of May 19, is entirely in the warden's discretion. Only legal witnesses will know beforehand what time the execution occurs.

Attorney Morse and Rev. Mr. Johnson visited the prison and had a lengthy conference with Richeson, preparing him for the news that the alienists had reported adversely. While the attorney and the minister were with Richeson he requested to see the morning papers. The guard took the papers to him.

The attorney and minister told Richeson his fate. He received the news calmly and expressed disappointment. There was no indication of physical collapse. Morse and Johnson remained with Richeson until the afternoon. Morse announced he could do nothing more to save his client's life. It is believed Richeson will not be electrocuted before midnight Monday.

SUBMARINE BOAT AGROUND. Tuna Went Aground Yesterday Off Egg Harbor.

Atlantic City, May 17.—The submarine boat Tuna, which went aground yesterday off Great Egg harbor life saving station, is still held fast this morning. Five members of the crew who remained aboard during the night watched anxiously for the revenue cutter's arrival.

The Tuna lies easy on a sandbar three miles out to sea. Four boats of the life saving service are standing by, ready to lend assistance.

When the revenue cutter arrives from Norfolk, it is believed no difficulty will be encountered in pulling the submarine into deep water. The submarine was on the way from Newport News, Va., to Bridgeport when she ran aground.

Electrocuted While Putting Up Wire. Norfolk, Va., May 17.—Robert Finley, aged 23, was electrocuted while wiring for an electrical concern. Four hundred and forty volts passed through his body.

Guests at Mt. Vernon. Washington, May 17.—Governor Mann, of Virginia, and his staff are guests today at George Washington's home at Mt. Vernon, Va., entertained by the regents of the estate.

CAPT. LINTON PASSES AWAY

Was One of Raleigh's Most Useful and Honored Citizens—A Native of Philadelphia

WAS PIONEER GAS MAN

Established First Plants for Making Illuminating Gas at Salisbury, Charlotte, Columbia and Jacksonville—Placed Gas Fixtures in State Capitol—For Many Years President and General Manager of Company Here—Funeral in Charlotte.

Capt. Samuel Ernest Linton, one of the pioneer gas manufacturers in the south, and a most respected gentleman, died today at his home, 124 North Wilmington street, at the age of 76 years. The remains will be carried to Charlotte tomorrow afternoon and the funeral will be held Sunday from St. Mark's Lutheran church, of which he was a founder. The news of Captain Linton's death will be received with sorrow not only in Raleigh, where he spent a quarter of a century of his long and useful life, but in many sections of the south, where he was personally known. He had been in ill health for five weeks, but was not considered seriously ill until yesterday. Death occurred this morning at 4:30.

Born in Philadelphia, September 22, 1835, of distinguished parentage the young man came south in 1855, settling in Salisbury. There he erected the first illuminating gas plant in that town, and while in Salisbury placed the gas fixtures in the state capitol. In 1861 Captain Linton removed to Columbia, where he established the gas plant of that city. By reason of his services to the state, he was granted exemption from military duty by the confederate government, and while in Columbia not only supervised the making of gas, but was engaged in the distilling of turpentine on a large scale. Many thousands of barrels of turpentine, stored in Columbia, were destroyed by Sherman's invading army. Captain Linton seeing the result of his time and money go up in smoke, Captain Linton also constructed a gas plant at Jacksonville, Florida.

Removing to Charlotte in 1875, Captain Linton was engaged in his profession for 24 years. It was while there that he helped found St. Mark's Lutheran church, and during all his life in Raleigh he maintained his membership there. His first wife, who was Miss Rozie Fraley, of Salisbury, was a member of the Lutheran church. To this union no children were born.

Residence in Raleigh. Captain Linton came to Raleigh to live in 1899, and resided here until the hour of his death. There was no man in this city who was more beloved than he. Gentle in manner, firm in his convictions, honest in all his dealings, a Christian and a gentleman, he held a place in the life of this city that will never be filled. He was president and general manager of the Standard Gas & Electric Company, which he did so much to promote, until January 1, when he resigned, the stockholders, of which he was a large one, disposing of their plant to the Carolina Power & Light Company. It is said of him by those who came in daily touch with him that he was invariably considerate of those in his employ, and they loved him.

His Family. Captain Linton is survived by a wife, who was Miss Mary Frances McRae, of Montgomery county, and six children. They are: Misses Mary and Lottie V. Linton, of Raleigh; Mr. S. E. Linton, Jr., of Sioux Falls, S. D.; Mrs. W. N. H. Smith, of Raleigh; Mrs. A. G. Corpening, of Rock.

(Continued on Page Five.)

TO BITTER END. WILL TAFT FIGHT. Cleveland, Ohio, May 17.—Released after a quiet day yesterday, President Taft today resumed his speech-making tour of the state. Although Mr. Taft declined to discuss reports published that he might abandon the fight for re-nomination if he loses in Ohio primaries, men close to him place no credence in reports.

Because of the bitter resentment Mr. Taft has shown toward Roosevelt few of the president's friends believe he would ever withdraw in favor of his predecessor. Advisors with him on his Ohio tour say he will stick to the fight to the end.



ONE AMERICAN GIRL WHO WILL NOT WED TITLE.

Regarding the story that Prince Ludovico Pignatelli d'Aragona is in Spain endeavoring to get King Alfonso's consent to his marrying Miss Mary L. Duke, her father, Benjamin L. Duke, gave out the following statement: "There was never any engagement between my daughter and Prince Pignatelli." The prince was in this country last summer and paid ardent court to Miss Duke during the entire length of his visit.

FOURTEEN FREIGHT CARS OVERTURNED. The overturning of fourteen freight cars near Morrisville early this morning delayed all morning Southern passenger trains. Fortunately no one was hurt and not very much damage was done. The morning trains were detained via Durham and Apex. The noon train came through and was an hour late.

NO WAGES FOR CENTS. Federal Felons, Besides Treasury, Must Rely on Charity. Washington, May 17.—The propriety and legality of boarding two cats at the expense of the United States government, despite the high cost of living, was the halting question submitted today to A. Platt Andrews, assistant secretary of the treasury.

The urgent appeal for the cats came from the sub-treasury in New York. The treasury building there, it was averred, has been infested with rats and mice. It was absolutely necessary to secure two cats for the protection of the papers in the archives. Kind-hearted clerks have been contributing in their spare time. This generous and charitable method is said to be "unsatisfactory" however. The treasury department was asked for permission today to pay for cat food out of the contingent fund.

Doctor Andrew decided that the high cost of food, the administration's effort to make a record for economy and the desire to reduce appropriations all made it necessary that the cats should continue to be subjects of charity.

STANDARD PAYS \$50,000 FINE. Oil Trust Liquidates Penalty in Missouri Prosecution. Jefferson City, Mo., May 17.—The Standard Oil Company paid a fine of \$50,000 to the clerk of the supreme court as a result of being prosecuted as a trust.

There is a motion pending before the court asking that the order ousting the company from the state be withheld, so long as it obeys the laws.

The Republic Oil Company, which was also found guilty, is expected now to pay its fine.

COUNTRY-WIDE SEARCH ENDS—BODIES ARE FOUND. Cincinnati, May 17.—The country-wide search for Robert and Erben Nichols, brothers, 8 and 4 years old respectively, who mysteriously disappeared April 29, ended today, when their bodies were found in a stable near their home.

SLAVE IN LEE FAMILY DIES AT AGE OF 119. Guthrie, Okla., May 17.—Silvy Baker, 119 years old, a former slave of the Lee family in Virginia, died here today. She was born in Richmond.

MOVEMENT FOR PEACE

Address of Mr. DeWitt At Lake Mohonk Conference in Interest of Peace

Lake Mohonk, N. Y., May 17.—In his address before the delegates to the eighteenth annual meeting of the Lake Mohonk Conference on International Arbitration, William G. Deming, of Cheyenne, declared today that the success of the movement for international peace was conditional on the support of the press of different nations. The time has come, he said, when it has become the plain duty of the press to take more than a business interest in the movement for the abolition of war.

Mr. Deming said in part: "Action in unison, with high and patriotic purpose, the newspapers and magazines by systematic and persistent effort can place the United States in the vanguard of nations ready, anxious and willing to discard the barbarisms of war."

"They can create a sentiment which will force congress to invite every civilized nation on the globe to become an irrevocable party to an international court, that will settle every difference which can possibly arise between nations, including all questions of honor, and thereby reduce the armaments of the world to a mere police footing."

"The press of the nation has not only a great positive duty in the premises, but its failure or neglect to seize the opportunity is nothing less than criminal."

Learned lawyers of the United States senate quibble over senate prerogatives as to the treaty making power; Jimco statesmen and capitalistic newspapers may create boggy questions of honor over which to throw nations into the horrors of war, but the simple fact remains that the power of earth can proclaim and establish a permanent peace and it is the duty of the press of the world to see that they do it.

"It is needless to tell this learned assembly of the enormous demand militarism makes upon the resources of the country."

"For more than thirty years the United States has expended for the creation and maintenance of armies and navies, for pensions and interest upon war debts, seventy-two per cent of its revenues, while only twenty-eight per cent has been used for the administration and maintenance of civil affairs."

"These figures are the severest indictment of our national intelligence, and yet it is within the power of the press to say to congress: 'Thus far and no further shall thou go!'"

"The press should admit no psychological moment. No miracle upon war debts, seventy-two per cent of its revenues, while only twenty-eight per cent has been used for the administration and maintenance of civil affairs."

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APEX CLOSING. Holds Annual Election of Faculty—Splendidly Equipped and Doing Fine Work.

Apex, N. C., May 17.—The Apex graded school committee, White Oak township, district, No. 1 which held its meeting May 15th, elected for the ensuing term 1912-13 the following faculty:

For principal, Prof. M. S. Giles; for lady principal, Miss Ruth L. Evans of Greenville, N. C., for other grades, Miss Mauder Rollins of Durham, N. C., Miss Fula Baucum, Apex, N. C., for music teacher, Miss Kate Farnum, Laurinburg, N. C.

The graded school is now equipped with the best teachers to be had, and the people of Apex, and country around deem it fortunate that Prof. Giles and the majority of his co-workers have been re-elected. This will be Prof. Giles' third term with the Apex school, and his labors have been justly merited with phenomenal success, and the people are more attached to him as man and principal of ability each term. Misses Rollins and Baucum have given very satisfactory service in their respective spheres in the school, and the patrons are very much pleased that they too were re-elected.

Misses Evans and Harris come to us with credentials from people who know of their ability in school work, and the school here is fortunate in obtaining these teachers for the next term.

The committee with the assistants of Prof. Giles have taken great pains in selecting the faculty, and it is the purpose of the committee to make the graded school here second to none in the county.

Progress in Darrow Case. Los Angeles, Cal., May 17.—The trial of Clarence S. Darrow, of Chicago, the lawyer charged with bribery of prospective jurors in the McNamara trial, was resumed today. The jury will be obtained this week. The attorneys believe the testimony may begin Monday.

BRAD BAGLEY DIES IN CHAIR

Murderer of Chief-of-Police of Williamston Pays Penalty at State's Prison

ADMITS HE WAS GUILTY

"I am a Guilty Man," the Negro Mumbled as the Straps Were Being Placed on Him—Writes Letter to Friends Saying He Was Prepared to Die—Was Largest Man Ever to Die in Chair—Martin County People, Among Them Son of Murdered Officer, Witness Execution.

Brad Bagley, the biggest man ever electrocuted in this state, paid the death penalty this morning at 10:41 without making a complete confession of his crime. Bagley was the twelfth man to meet death in the state electric chair and his death was taken as calmly as any man ever faced his last moments. With a calm and steady step he came from the death chamber at 10:36, and with a sickly smile on his face he spoke to his friends and the people whom he had known when he was a free man. He greeted them all with a kind word and a request that they pray for him. His last words before the straps were put over his face were: "I am going to rest, and take it as easy as I can. Mr. Yerby, good-bye, and good luck to you."

All the time the straps were over his mouth he was talking the best he could, and among his last words were: "Oh, Lord Jesus, Christ, have mercy on my soul, and please forgive me, I am a guilty man and am prepared to meet my God." He was about to say more, but the electric current cut his speech short and silenced him forever.

The Death. The tests were made on the chair at 10:23, and lasted two minutes each, three tests were made and then the prisoner walked from his death chamber with a slight limp in the right leg. He complained of its hurting him a great deal. He was strapped in the chair and all was pronounced ready. Then Warden Sale turned on the current at 10:38, and from the first convulsive rigor that passed through the body of Bagley until the current was turned off, was one minute and six seconds. He was examined, and there was a slight doubt about complete death in the mind of Dr. Jordan, and the second current was turned on at 10:41, and lasted twenty seconds.

After the second shock had passed through his body, he was examined and pronounced dead by three physicians.

His Letter. A letter addressed to his friends was handed to Parson Joshua Griffin, who had been with him for an hour trying to comfort him in his last moments and to get him to confess his crime, but in vain. The letter is:

"And this is about half past nine, the 17th of May, Brad Bagley sent this by my dear friend, Uncle Joshua Griffin. My dear friends: I will send this message to you all by my dear friend Uncle Joshua Griffin. The time has come that I must leave you all, and I have prayer for myself and all my dear friends, and I hope we will be able to meet in the coming world, and my Lord Jesus Christ is with me and He will be all the way through the Valley of Death. I have been baptized and believe through the blood of Jesus, which He has shed and I am saved and gone to rest and feel that I have done my duty here in this world. So may God be with you all until we meet again, so good-bye. From Brad Bagley."

Those Present. Among the out-of-town people for the electrocution were A. R. White, the murdered man's son, B. F. Wilson, Lester Robinson, W. T. Boat, Walter Jenkins, Jr., R. J. Cobb, Ben Sacks, Lewis Harrison, T. A. Edwards, T. C. White, L. A. Taylor, Blaine White, W. E. Everett, W. J. Bryan, Baynard Turner, W. T. Wilson, C. B. Mason, Henry Harden, Tom West, Irey Roberson, A. H. Elmore, Dan Scott, and the newspaper representatives.

The Murder. Brad Bagley has paid his just penalty for the most atrocious murder ever committed in Martin county. At 9:30 on the night of August 15, 1911, Chief of Police R. W. White was on his way home from his office and was ambushed and shot in the back with a load of buck shot from a single barrel gun. Several neighbors hearing the screams of the wounded man and the report of the gun, ran to where he lay and found him lying in a pool of blood.

(Continued on Page Six.)