

THE ANSONIAN.

A Weekly Newspaper, To Enlighten, To Elevate, and To Amuse.

VOLUME 2.—NUMBER 8.

WADESBORO, N. C., JULY 23, 1907.

\$1.00 A YEAR IN ADVANCE

All Oxford Shoes Must Go

And in order to make them go, we have cut the price from 10 to 25 per cent. on every pair of Oxfords in the house. You will want another pair of low cut shoes before the season is over with.

Take Advantage of These Low Prices

Men's Oxfords that were \$3.50 now \$3.00
Men's Oxfords that were 3.00 now 2.75
Men's Oxfords that were 2.50 now 2.25
Ladies' Oxfords that were 2.00 now 1.75

And so the prices range every pair in the house to be sold. All the latest style and all leathers to choose from. Every pair this season's goods, and none better. We handle the famous Star Shoes, which defy competition. Call early before the numbers are picked over.

GRAY GROCERY COMPANY

PHONE 124

EVERYTHING IN GROCERIES.

WORK OF SOIL SURVEY

An Important Branch of Government's Work Mr. Frank Bennett as an Expert.

Wadesboro, N. C., Special, 17th to Columbia State.

The meeting of the farmers at the court house this morning was called to order by Clerk of Court L. E. Pagrod. He introduced Mr. Frank Bennett of the United States soil survey. He explained by means of a map of the soil of the counties of Sumter and Lee. The map used was that of Darlington county, which is similar in soil to Lee and Sumter. By means of coloring, the various soils, sandy, clay and mixed, were plainly shown. Mr. Bennett laid stress on the adaptability of the soil for truck farming. Each soil requires a different kind of fertilizer which is learned through experiments. These experiments will be tried during the coming fall, when they will be made on different farms in this county. The growing of alfalfa will be tried, which Mr. Bennett thought might be grown here successfully. There are probably 15 different kinds of soil in Sumter and Lee counties, and maybe more. Mr. Bennett referred to the savannas found here. He thought with proper treatment these places could be made productive.

The department, through Mr. Bennett, will agree to furnish advice, based on the most careful study of the soil, as to the proper depth of plowing, the best kinds of fertilizers to use, the kind and frequency of cultivation and the use of peas and peayine stubble to assist in maintaining the crop-producing power of the soil. In order to make the partnership effective the department will need to have an agreement with each farmer who is co-operating that he will set aside two or three acres of land to be farmed according to the plans submitted by Mr. Bennett. This land should be farmed systematically as directed by the department for not less than three years. It is usually impossible to get good results in less time. The farmer will need to furnish all fertilizers and perform all labor. The department will not advise any expensive or hazardous experiments. All crops will be the absolute property of the farmer to

Granville county man is showing the largest hog in the world at the Jamestown Exposition. It is a two-year old pig weighs 1,160 pounds.

If you suffer from bloating, belching, sour stomach, indigestion or dyspepsia, take a Rins-Dyspepsia Tablet after each meal and overcome the disagreeable trouble. It will improve the appetite and aid digestion. Sold by Martin Drug Co.

NEW GOODS

I Have Just Received A New Lot

Porch Shades,
Lawn Swings
And Hammocks

My stock of Window Shades is complete.

New lot of Fine Felt Mattresses and Springs.

Am looking for Two New Lots of Matting to arrive any day

Many things too numerous to mention here. Just call and see my complete line.

I sell Pianos of 10 styles and one of the best Organs on the market, and my MOTTO, "Quick Sales and Small Profits," will save you money. Be sure to see me. Terms Easy. Prices Very Low.

PHONE L. H. COX 145

THE LYNCHING TRIAL

General Summary of Evidence
—Jones' Alibi.

H. D. Kendall, Sr., was being cross-examined by Mr. Stack last Tuesday as this paper went to press. It will be remembered that Mr. Kendall was one of the three witnesses turning State's evidence in the case. He had stated that he was 53 years of age and had lived in Anson county for thirty years. Said that he went to church Sunday morning before the lynching and in the afternoon visited several families in the community. First heard of the arrangements to go to Wadesboro and lynch John Jones that night. Said it was agreed that he and John Jones, the defendant, should go up the Wadesboro road and look for the crowd that was to come from Gullidge township and from Richmond county. Said that they did not find the crowd and returned, coming on with the crowd to Jones creek. Here he met his son returning from Wadesboro. With his son was young Meeks, the third witness turning State's evidence. Said that he begged his son to go to his mother and his son replied that at school, Guinn Johnson had pulled the larger boys off him and he was now going with the crowd to lynch his murderer. (The Judge had asked Kendall why his son refused to go home.) Said that B. F. Timmons had a lot of shop tools with which they were to break the jail door down if they failed to get in when attempting to deliver the alleged prisoner to the jailer. He said that W. A. Niven was looked upon as their leader, as he was a justice of the peace and a man of good judgment, likely to make a good conductor. The crowd said the thing must be done right. It was generally understood that they would never do to let J. V. Johnson live. Said that when the mob reached Wadesboro, he was given a gun by Will Niven and told to guard the alley leading to the jail. During the knocking at the jail a young man, whom he took to be Frank Niven, was brought out of the alley by Jim Swink. He went with them a short distance away in order to see if the young man was hurt. Said that he was gone several minutes and on returning heard more shooting and cursing after which Johnson was brought from the jail and carried some distance from Wadesboro and hanged to a pine tree. The mob began to shoot and finally the rope was shot in two, so someone said. (Judge Peebles here informed the witness that it was immaterial what became of the rope but very material as to what became of Johnson.) Witness said that they left Johnson there and the crowd dispersed, having agreed to lynch any man who told on them. Said that he never told anyone about it until next day when officers came to the field where he was plowing. At the investigation when he met Solicitor Robinson, J. P. Bennett, Judge Neal and Sheriff Boggan, he was sworn and told the gentlemen that, though it was the bitterest pill of his life, he was going to tell the truth.

Mr. Stack, for the defense, put Kendall through a rigid cross-examination, but failed to destroy his first story. Witness said that he told his wife and daughter about the arrangement to lynch Johnson and that they did not ask him to stay away. He never had any trouble with Johnson and helped to lynch him from a sense of duty. "We regarded him as a desperado." Admitted telling a number of people after the lynching that he did not recognize a single man in the crowd. Did call on the widow and prayed with her, but did not pray that the guilty parties might be found out. Did not remember being told that by turning State's evidence he could get out of it but knew that it was the rule. Denied that he was guilty of other illegal acts or that he was a drug fiend.

A number of witnesses gave Boggan a good character and said that Kendall's was good up to the time of the lynching. In the afternoon young Kendall and Meeks told about the same story as was told by H. D. Kendall, Sr. Here the State rested its case. It was generally admitted that the State had made out a good case.

The Defense.

The evidence produced by the State and given above, has already been printed time and again and for that reason is not altogether interesting. That of the defense, which follows, is of course new to most of our readers and will therefore be read with more interest.

T. R. Tomlinson was the first witness called. Mr. Tomlinson was the officer who brought Mr. Kendall to Wadesboro to the preliminary hearing. He testified that the latter told him that he did not recognize any of the men and that he only saw them as they drove by his home the morning after the lynching and he thought there were about 75 in the crowd.

T. C. Robinson testified that he saw J. A. Boggan fail to recognize young Henry Kendall while the latter was near an arch light in the town of Wadesboro.

C. J. Gathings came down town while lynching was going on and was told by a man near alley lead-

ing to jail to hold his nerve and not to shoot so much. Witness moved on then and stood behind a tree about 25 feet away for nearly an hour and until the mob passed by him. He saw no one on horseback where Kendall had said he stood. The mob passed within fifteen feet of him and he failed to recognize any of them. It was a dark night and he might have failed to see a horse had there been one on the street. Could not distinguish a man 7 feet away. He thought there were about 50 in the mob and said that some of the defendants were related to him.

Messrs. J. I. Dunlap, R. B. Jones, H. E. Allen, F. E. Covington, W. H. Liles, and W. T. Moss testified that they had heard Boggan and Kendall say that they did not know any of the men in the mob, and that Kendall had said that he never saw them until they were returning from Wadesboro.

C. C. Moore testified that Boggan had told him that he saw young Lawson, Will Dunn and young Hardison. That Boggan had asked him if he would have thought that T. V. Hardison would have been in such a crowd. Witness replied, "I would not think so and I do not think so now." Said that several of the defendants were related to him and that he had signed an article published in a county paper and setting forth the reputation of the lynched man. He was asked by the court if he signed it as register of deeds and if he thought it was any more a violation of the law to lynch a bad man than to lynch a good one. He replied that he was register of deeds at the time he signed the piece and that he did not approve of lynching at all. Said that his motive in signing the piece was to let the people know what kind of a man J. V. Johnson was.

J. A. Hardison had heard Boggan say that he did not know any of the men in the mob.

R. A. Templeton said that Boggan had asked him about the difference in size of Zeke and Battle Lewis.

J. A. Niven had heard Boggan say that he did not recognize any of the mob. Said that his son Frank, and Jim Swink, two of the men indicted, spent the night at his home and left there at 3 o'clock. Said that Swink was teaching him Masonry. Said that his son had since joined that order, being too young at the time.

Thomas Watkins said that Meeks, who turned State's evidence, came up to him in Wadesboro one day after he had testified in court and said, as a way of beginning the conversation, "I don't know anything about the lynching or who was in the crowd, but told what I did because Mr. Kendall said if I did not I would be arrested." Said he had never seen Meeks before.

Many character witnesses were examined. All gave defendant Jones good character and said that Kendall's character up to the time of the lynching was good. Several said that Boggan's character was bad, but most of these admitted that they had trouble with him.

The next witness was a brother-in-law of Jones, W. T. Owen. He said that he went to the home of Jones' father on the evening before the lynching occurred and remained there until 3 o'clock in the morning when he was waked and went to his home. Said he went to see Miss Della Jones, who was sick and who is a sister of his wife. Went at the request of his wife to see how Miss Jones was. It rained until about 10 o'clock so he agreed to stay if they would call him at 3 o'clock. Went to bed with Jones and knew that he remained in the room for he got up at 2 o'clock to give his sister medicine. Heard nothing of lynching until Monday. Said Jones was not there when he arrived, but came later with John Henry.

Defendant on Stand

John Jones, the defendant was next called to the stand. He is a young man of very good appearance and appeared cool and deliberate. He was a good witness for himself, probably the best put up by the defense. Said that he went to John Henry's home on Sunday afternoon and the latter came home with him. They retired that night at about 10 o'clock and he was called at 2 o'clock to give his sister a dose of medicine. Got up at 3 o'clock and left with W. T. Owen. Said that he had some trouble with J. V. Johnson but never had said he ought to be lynched. Reason he always gave the medicine was that he was the only member of the family who could read and that he was the one who got the medicine from the doctor. Said his sister sat up part of the time and was able to walk about the house. His testimony was corroborated by his sister, Miss Della, and his father, Mr. Peter Jones.

Mr. and Mrs. John Henry told practically the same story as told by Jones. Mrs. Henry testified that she left her home Sunday about an hour by sun in the evening and went to Peter Jones' where she found her husband. She expected to return home but on account of the rain, did not do so as she feared asthma if she should get wet. Said that it did not rain much after 10 o'clock and

that she did not go home until about 2 o'clock although she was in sight of her home and had left a baby there only nine months old. It was in charge of larger children. Said it looked like rain when she left home. Parts of this testimony were corroborated by other witnesses.

Gomer, E. F. Fenton testified that he had heard Boggan say that he did not recognize any of the men in the mob. This was on the morning after. Said he cut Johnson's body down and found two-thirds of the left hand cut off and the body full of shot and bullet holes. Also found blood along the road from the jail.

R. J. Allen corroborated this testimony as to what witness had heard Boggan say.

Ebb Grooms and Al Bryant had heard Meeks say after he had testified that he did not recognize any of the defendants. Meeks said on Tuesday that he did recognize John Jones, Battle Lewis, Otis Martin, and Lewis Adams.

Fred Hargrave gave Boggan good character and said that he was on the streets 75 yards away and failed to see horse. Could not recognize a man 5 feet away unless he knew his voice.

W. H. Carter said that he was on the street about 7 feet from the crowd when it passed out with Johnson and could not identify any of them. On cross-examination he said that he might have been 15 feet away. Was not known to Morven. Heard Johnson call for help.

J. L. Pratt had heard Kendall testify as to standing at alley with Niven's shot gun. Admitted that he had contributed to the defense.

Dr. J. M. Belk of Monroe had known Kendall 17 years ago and at that time his character for truthfulness was not good. He was then considered erratic and unreliable.

G. W. Rogers, H. S. Liles and J. S. Liles had known defendant for years and said his character was good.

Dr. T. E. Misenheimer of Morven testified that he had given defendant medicine for his sister on the Saturday before the lynching. Told Jones how to give it and this account for his being up at 2 o'clock in the morning.

This ended the testimony and the defense offered to let the case go to the jury without argument but Solicitor Robinson felt it his duty to the State to present his case and Judge Peebles agreed with him and allowed each side four hours within which to present its case.

(Continued on second page.)

AND YET THEY TALK

More Comment on Wadesboro's Glorious Fourth (Monroe Enquirer)

Since the barrooms and the dispensaries went out of business here this paper has conducted no anti-saloon campaign. Old Uncle Joe Arch Williams, an old-time colored man, with whom we used to hunt rabbits, had an old dog that would stand and bark into the hole in a hollow tree for half an hour after we had twisted the rabbit out.

Then supposing the existence of an "unwritten law," can it be satisfied? Would the "unwritten law" be received as an established defense to homicide? Killing was allowed in this general class of cases among the Jews, under the laws of Solon, among the early Romans and the Goths, but English and American authorities took the view without exception that the "unwritten law" cannot be made a legal defense to homicide—at most it can only be taken as an extenuating circumstance, reducing the act to a lesser degree of crime. Neither can the "unwritten law" find justification in public policy. One of its greatest dangers comes into play when you consider the fact that the victim of outraged slayer may have been guiltless of the defense for which he was slain. In the recent Loving case subsequently discovered facts seem to point to the innocence of young Estes, and yet by an iniquitous rule of evidence, these facts were excluded from the jury and his name is left with the stigma of an infamous crime upon it. One of the most vicious results of the "unwritten law" is that it makes its executioner the sole tribunal to judge of the guilt or innocence of him who is arraigned under it. Here is a court of extraordinary power indeed, a one-man tribunal, having original, exclusive and final jurisdiction, whose presumption is that the prisoner at the bar is guilty. The person who is supposed to have committed a breach of the "unwritten law" is not allowed to introduce evidence. The only requisite is to charge him with the offense and execute the sentence.

The purpose of this paper is to enter a plea for the "orderliness and security of our social system." It would perhaps be not unwise for our law-makers to take into consideration the question whether or not the present legal remedies against the encroachment upon family purity are proportionate to the enormity of the offense. In some cases, under the rigid rule of the "unwritten law," the offender undoubtedly gets his just deserts and public opinion approves the sentence. Perhaps it might be well if the law of the land prescribe the death penalty for him who invades the sanctity of the home—but does not. Perhaps it might be well if this con-

THE "UNWRITTEN LAW"

Extract From an Able Address Delivered by Prof. Timberlake of Wake Forest Law School Before Bar Association.

"The ancient custom of blood revenge has at times been almost world wide in its operation and is sanctioned by holy writ. The 'unwritten law' is blood revenge limited to satisfaction for the encroachment upon family purity. The 'unwritten law' as it is technically understood, has its existence in fact rather in public sentiment than in any definite recognition by the courts. The sentiment in favor of exempting from judicial punishment one who kills in the defense of the family relation is the natural result of the high instinct. The matron's honor and the virgin's purity are the peculiar objects of the watch care of every civilized community, for upon their preservation society depends. The higher the degree of civilization to which a State has attained the higher the sentiment as expressed in the 'unwritten law' is increased and developed. The sentiment underlying the 'unwritten law' is probably a survival of the ideas which were characteristic of chivalry, the heart of which was the duty of the knights to defend the cause of all women. Of late years our fair sisters have seemed disposed to doubt our ability to conduct their quarrels after the fashion of a true knight and have demanded a place by our side in the tournament of the forum. So our field of ennobling strife we bid them welcome and hereafter in the language of a not unappreciated member of the fraternity 'when we speak of our honored profession we must be understood to embrace our sisters-in-law.'

But the right to guard the sanctity of the home and to punish him who dares invade it as one which the individual has not been willing to surrender. The death penalty alone will satisfy. This is the individual feeling and public sentiment allows it. The judges deny it, but the juries admit it. The sentiment is strikingly shown in the recent cases in which the "unwritten law" has been invoked and the almost uniform verdict of acquittal. It is hardly a matter of surprise that the plea should have proved ineffective in the Thaw trial. Mrs. Evelyn Thaw's history was not stable enough for the "unwritten law" to rest upon. Taking into consideration this fact, together with the other evidence tending to disprove the gallant conduct and to lower the high moral attitude of the prisoner, it could scarcely be supposed that a jury should have accorded a very ready response to the appeal. Not even in Mrs. Thaw's sublime renunciation nor in 'Demas' 'Dementia Americana' could this delicate instrument find an adequate support, but where the "unwritten law" is invoked in a just case it will probably continue to be effective, in the South especially, for time indefinite.

Then supposing the existence of an "unwritten law," can it be satisfied? Would the "unwritten law" be received as an established defense to homicide? Killing was allowed in this general class of cases among the Jews, under the laws of Solon, among the early Romans and the Goths, but English and American authorities took the view without exception that the "unwritten law" cannot be made a legal defense to homicide—at most it can only be taken as an extenuating circumstance, reducing the act to a lesser degree of crime. Neither can the "unwritten law" find justification in public policy. One of its greatest dangers comes into play when you consider the fact that the victim of outraged slayer may have been guiltless of the defense for which he was slain. In the recent Loving case subsequently discovered facts seem to point to the innocence of young Estes, and yet by an iniquitous rule of evidence, these facts were excluded from the jury and his name is left with the stigma of an infamous crime upon it. One of the most vicious results of the "unwritten law" is that it makes its executioner the sole tribunal to judge of the guilt or innocence of him who is arraigned under it. Here is a court of extraordinary power indeed, a one-man tribunal, having original, exclusive and final jurisdiction, whose presumption is that the prisoner at the bar is guilty. The person who is supposed to have committed a breach of the "unwritten law" is not allowed to introduce evidence. The only requisite is to charge him with the offense and execute the sentence.

The purpose of this paper is to enter a plea for the "orderliness and security of our social system." It would perhaps be not unwise for our law-makers to take into consideration the question whether or not the present legal remedies against the encroachment upon family purity are proportionate to the enormity of the offense. In some cases, under the rigid rule of the "unwritten law," the offender undoubtedly gets his just deserts and public opinion approves the sentence. Perhaps it might be well if the law of the land prescribe the death penalty for him who invades the sanctity of the home—but does not. Perhaps it might be well if this con-

dition were made to public opinion. Such a compromise would give no recognition to "unwritten law" but might go far toward removing the cause for its operation. It might go far toward satisfying the outraged individual, while it would at the same time insure the offender the trial which the "unwritten law" denies.

I do not wish to be understood as going to the extent of advocating so far-reaching a step, but as merely advocating the suggestion as a possible solution of a problem which is undoubtedly confronting the profession at the present time. With the "unwritten law" itself no compromise can be made. It can find no justification in a well-preserved community.

Myriads of Boll Weevils in Texas—Prays for Prohibition's Success in Anson.

Ex-Sheriff J. T. Gaddy received yesterday a letter from his brother, Rev. Ellis D. Gaddy, who lives in Texas, and allows us to use the following two extracts which will interest most, if not all, of our readers:

"Crops are backward, corn good, oats a comparative failure. We have myriads of boll weevils in our cotton. We do not expect a bale to 20 acres. They sting the squares as soon as they are well formed, so they drop off. It is said by Government experts that one female weevil will raise 1,000 in 18 days, and 28 days is the life of the weevil. So by figuring a little, you can see what the Lord can do to arrest man in his craze for worldly fame.

"My prayer is that God may give you prohibitionists a great victory over distilleries and saloons this summer. They are engines of hell, breeding vice and sin of every cast—damning to men and degrading to women." Read Joel first to third chapters.

The friends of young Estes, the young man recently shot down by Judge Loving at Lovingson, Va., will write a book showing their side of the matter. It will be remembered that Loving was acquitted.

Hundreds of people yearly go through painful operations needlessly, because they never tried Man Zan File Remedy. It is put up in such a form that it can be applied right where the trouble lies. It relieves the pain and inflammation. It is for any form of piles. Price 50c. Sold by Martin Drug Co.

The Best Place .. To Buy ..

A GREAT many people have found by actual experience that Caudle's Furniture Store is the best place to buy all kinds of furniture and house furnishing goods. Why is it the best place to buy? Because Caudle has been longer in the business than any dealer in the county; because he knows where to buy, when to buy, and how to buy; takes advantage of carload rates and discounts and gives it to his customers.

A Car Load Coming in Now

Best line of Matting in town. A big lot of Graphophones and new records just coming in. Come and get your money's worth.

A. B. Caudle

PHONE 72.

The Saloon.

The liquor saloon is the rattle snake of our modern social life. It is a culture and a parasite in one. It is the devil fish of modern commerce. It produces nothing but drunkenness, debauchery, crime and death, and when its work is finished it eventuates in the destruction of many of the best boys and girls, and men and women of our land. "The trade" can no more be elevated than mad dogs can be elevated. It can no more be made innocent and good than blood poison can be made innocent and good. It is the festering, cankering, consuming ulcer of our national life, and the man who assumes that there is any way to purify a business so inherently vicious either advertises his own ignorance or his belief in the folly of the populace. Ex.

The Allen Kin.

(Saturday Evening Post.)

When General James Allen, chief signal officer of the Army, was a major, he was sent to Fort Sam Houston, in Texas, on a detail. While he was waiting at the station for his baggage a very black negro came along and asked for employment. "What's your name?" asked the officer.

"James Allen, sah,"

"James Allen, eh? Why, that's my name, too. I wonder if we are related."

"Now, see here, sah," protested the negro. "You can't claim no kin with me. They ain't a drop of white blood in my veins."

Will Wah, a Chinaman, who has been running a laundry here for some time has sold out to Lee Quong and left today for his old home in Canton, China where he will stay for about a year. Wah came to America twenty years ago. He has washed and ironed clothes all these years and has saved his money. He takes back to his native country his earnings and many curious from the new world. He will have lots to tell his folks of his experience in America.—Monroe Enquirer.

Man Zan File Remedy comes put up in a collapsible tube with a nozzle. Easy to apply right where soreness and inflammation exists. It relieves at once all kinds of itching or protruding piles. Guaranteed. Price 50c. Get it today. Sold by Martin Drug Co.

You Cannot Forget the Hot Weather But Can do a Great Deal to make Your Home and Office More Comfortable During the Sultry Days



AND when you start about it, remember that we carry a stock of Hot Weather Specials hard to beat. We have the celebrated Leonard and White Mountain Refrigerators, Arctic Icecream freezers in all sizes. A number of designs in water coolers. Come on, the prices won't break you.

Keep the flies out with our screen doors and windows

Planter's Hardware Company