

# The Paducah Evening Sun.

VOL. XXV NO. 7.

PADUCAH, KY., FRIDAY EVENING, JANUARY 8, 1909.

TEN CENTS PER WEEK

## ASSOCIATION IS HELD LIABLE FOR BLACK PATCH WAR

Amended Petition of Henry Bennett Says Tobacco Pool Organized Band

To Force Men to Join and to Influence Courts.

RECITES HISTORIC TROUBLE

That there was a general conspiracy of night riders in the Black Patch and that the association was behind it, is the allegation of Henry Bennett.

The seventy-five new defendants added to the list sued by Henry Bennett, of Jeffersonville, Ind., formerly of Dycusburg, Ky., on account of the whipping administered to him February 3, 1908, are made so in many cases by reason of their relations with the dark tobacco association. This particularly applies to the prominent men of Trigg county, named in the amended petition. The petition directly charges the association with forming the night rider order for the purpose of forcing planters and handlers into the association by threats, and whipping, and burning their property, and of creating a reign of lawlessness in the counties, where dark tobacco is grown to "by intimidation and threats, defeat the object of courts of justice, influencing such courts and the officers of such courts, petit and grand jurors," to the end that its members may be released and discharged when arrested for crimes committed by the night riders. A general conspiracy also is charged.

The petition says the association was formed to create a monopoly of dark tobacco, which can be grown only in certain counties of Kentucky and Tennessee. County associations were formed to promote the pool, and planters and handlers were invited to join. When many refused it was impossible to establish the monopoly and bitter feeling was created.

"Thereupon," the petition recites, "the defendants with divers other evil disposed and malignant persons, members of and sympathizers with said associations, combined, conspired and confederated together and organized a secret criminal society, generally known as the 'night riders.' Said secret criminal society was organized by the establishment of lodges at various points in the counties in which dark tobacco was grown, and officers were elected, bearing military titles, such as general, colonel and captain, and each lodge and each member thereof was affiliated with and bore allegiance to each and all other lodges. Each member took the blood oath."

"I, —, in the presence of Almighty God and these witnesses, take upon myself the solemn pledge and obligation that I will never reveal any of the secrets, signs and passwords of this order, either by word or writing, to any person or persons, who are not entitled to the same in accordance with the rules and regulations of this order. I furthermore promise and swear that I will never reveal or cause to be revealed by word or act to any person or persons the transactions of this order in or out of the lodge room, unless after due trial and examination I find them or him justly entitled to same, and not then unless I believe the business and welfare of the order will be benefited by such information given. I furthermore promise and swear that I will obey all the orders and summons coming from my lodge day or night, unless prevented by sickness of self or family. To all this I do solemnly promise and swear, placing myself under no less penalty than may be put upon me by order of this lodge."

### Oklahoma's Wealth

Oklahoma City, Jan. 8.—The first report of the state mine inspector shows Oklahoma leads all states in gas and oil production. For eighteen months oil production has exceeded fifty million barrels, valued at over \$21,000,000. With proper piping facilities it could reach sixty-five millions. Gas production is 140,000,000 cubic feet.

### Hornsby in Prison

Will Hornsby, convicted and sentenced to 20 years in the penitentiary for assaulting 12-year-old Nita Powell, began serving his sentence yesterday afternoon. He was taken to prison by Mr. Theodore Luttrell, a regular prison guard, who brought Felix Merriweather here to testify in the Charlie Lee Hill murder case. Mr. Luttrell took both prisoners back to the penitentiary.

## Velvet and Rags World Over.

New York, Jan. 8.—The worst blizzard of the winter last night and this morning, caused terrible suffering among thousands. Charitable facilities are overtaxed, and hundreds are without shelter. While the storm was raging, causing woe, a reception and dinner costing \$100,000 was given at the Plaza for the debut, Marjorie Gould, youngest daughter of George Gould. It was the most magnificent social event in New York's history. The dinner cost \$100 a plate. Today newspapers print stories of ball and suffering by the storm in parallel columns and comment vigorously on the contrast.

## Victims of Earthquake Are Being Buried Thousand a Day and Plans Are Afoot For Rebuilding Cities

Repeated Shocks Are Felt in Lower Italy and Correspondent Describes Other Towns Damaged.

Rome, Jan. 8.—Conditions in the quake zone are so improved there is little work for the American warships which are expected shortly. Relief ships, however, with supplies are badly needed. Removal of victims from stricken cities is practically completed.

The chamber of deputies convened to enact legislation for the relief of the quake zone. It is also considering rebuilding Messina and Reggio. The commissions will visit San Francisco and other earthquake cities to get data for the best methods of reconstruction. Victims are being buried at the rate of a thousand each day.

Villa San Giovanni, via Reggio Jan. 8.—The first train arrived today re-establishing a line with the outside world, for the distracted people have for the past ten days been in complete isolation. British ships, however, were here yesterday and put ashore large stores to be distributed to the sufferers by a relief party.

Many persons were killed at this place and practically all the houses overturned, and the survivors have suffered greatly because of lack of shelter from the cold and rain, and lack of food.

Several ships have come along the coast leaving supplies, retaining only sufficient to reach the nearest port where further supplies are to be secured. Before his departure yesterday the British admiral landed and was frantically acclaimed by the survivors, who presented a pitiful appearance.

### 1,300 in One Grave.

Messina, Jan. 8.—A most impressive funeral ceremony was witnessed here today when Archbishop Barrejo went to the cemetery at Mare Grosso and blessed the grave containing 1,300 bodies. The dead were piled one on top of the other, and the bodies covered with quicklime.

All valuables found among the ruins are being taken on board the steamer Duca, Di Genova in the bay. Yesterday currency to the amount of \$3,000,000 including the contents of the safe of the Italian-American bank, was transferred to this vessel.

## THREE LOCAL CASES OF IMPORTANCE ARE DECIDED BY KENTUCKY COURT OF APPEALS

Three cases of interest to the members of the Paducah bar and the general public were decided by the court of appeals. The decision of the lower court in the case of the city of Paducah against Jewell Brothers for forfeiture of a saloon bond, was affirmed. Jewell was convicted in police court of selling liquor to a minor, his license revoked by the mayor and a suit instituted for a forfeiture of his bond of \$1,000, as given as a guaranty that the saloon would be conducted in a lawful manner. When the case was tried in circuit court a verdict for the defendant was rendered by a jury, the evidence not being considered strong enough to warrant a conviction. The city appealed the case and yesterday the court dismissed the appeal.

### Harry Anderson Wins.

The decision of Judge Reed, granting an order restraining the Palmer Transfer company from exercising the absolute right to any portion of the ground adjoining the depot platform as a stand for carriages meeting trains was affirmed. The transfer company, acting under a contract with the Illinois Central Railroad company, chained off a portion of the ground near where trains stop at the platform, and sought to prevent other hacks from backing up to that portion of the platform to receive and unload passengers. Harry Anderson,

A banker named Mauromati, who was one of the richest residents, lost everything. Yesterday he went to the authorities bare footed and half clothed and begged for shoes and an overcoat.

### Fresh Shocks Felt.

Naples, Jan. 8.—Dispatches received here state that severe earthquake shocks occurred at Monteleone and Palmi last evening. The ruins of houses were shaken down and the people thrown into a panic.

### Shock at Palmi.

Palmi, Jan. 8.—At 6:30 last evening a short but intense earthquake was felt, causing the collapse of standing walls including those of the cathedral. No one was injured but the people rushed from their shelters almost crazed with fear.

### Villages Destroyed.

Rome, Jan. 8.—A correspondent who has traveled over much of the earthquake zone sends the following: Seminara, 700 dead, 500 houses destroyed; a church which had stood for 1,300 years is now in fragments. San Atanna, 15 dead, 150 houses destroyed.

Melina, 3 dead, 25 seriously injured, 50 houses destroyed. San Procopio, 60 dead, 500 wounded, 350 houses destroyed. San Eufemia and Aspromonte, 50 per cent of the inhabitants dead or injured, all houses completely destroyed.

### Body Brought Here

The body of Marion Nally, 25 years old, was brought through Paducah today en route from Memphis to Maxon Mills for burial. The young man was killed in Arkansas while coupling a string of cars Wednesday. His mother lives at Maxon Mills. The funeral and burial were held this afternoon.

### Arcadia in Earnest

Arcadia is pulling for the location of the first county High school, and to show that they are in earnest, the residents have made up a purse of \$450 as the nucleus of a donation should the suburb of Paducah be selected as a location. The purse was made up yesterday afternoon, and the promoters believe that the sum will be made \$1,000 before the county board decides on a location. The citizens are enthusiastic over the promise of securing the High school.

## THREE LOCAL CASES OF IMPORTANCE ARE DECIDED BY KENTUCKY COURT OF APPEALS

who conducts a cab line, secured an injunction in the lower court which was sustained by the court of appeals.

### Railroad Wins.

The third case decided by the higher court was that of Eulard Harper against the Illinois Central Railroad company. Harper sued for \$2,000 for the loss of a thumb. The railroad won the case in the lower court and the decision was affirmed.

### President Nominates

Washington, Jan. 8.—President Roosevelt made the following nominations: Fred Dearing, of Missouri, secretary to the legation at Havana; Leland Harrison, of Illinois, second secretary of the Pekin legation.

### Murderer Escapes

Eddyville, Ky., Jan. 8.—(Special.)—Shepard Hatchett, colored, doing time for murder at Hopkinsville, escaped from the branch penitentiary at 1 o'clock this morning. He was a trusty and night foreman in the boiler shops. He used an iron rod in scaling the wall. He had served 18 months. He is 21 years old, brown skinned, five feet, ten inches tall and weighs 185 pounds. He stammers.

## JAIL GUARDED TO PREVENT EFFORT TO RESCUE THEM

Fear Plan of Night Riders to Deliver Condemned Men at Union City.

Six Murderers of Captain Rankin May Hang.

EIGHT OF THEM CONVICTED

Union City, Jan. 8.—A strong military guard is protecting the jail where the night riders were found guilty of murdering Rankin are confined. Authorities fear an attempt at rescue. It is expected a motion for a new trial will be overruled and sentence pronounced tomorrow. Garrett Johnson, Tid Burton, Fred Pinon, Roy Ranson, Arthur Croar and Sam Applewhite, who are guilty of first degree murder, are liable to death or life imprisonment. Bud Morris and Bob Hoffman, guilty of second degree murder, are liable to twenty years.

### Verdicts of Guilty.

Union City, Tenn., Jan. 8.—With a verdict of guilty in varying degrees, the jury in the night rider trials reported at 8:45 p. m. last night. They found Garrett Johnson, Tid Burton, Roy Ranson, Fred Pinon, Arthur Clear and Sam Applewhite, guilty of murder in the first degree with mitigating circumstances; Bud Morris and Bob Hoffman, the other defendants, guilty of murder in the second degree, and fixed the punishment at 20 years in the penitentiary.

Six May Get Death Penalty. Punishment of the six first named defendants was left to the court, and may be death or life imprisonment.

The defense filed a motion for a new trial, which was set for hearing Saturday and which will be overruled, as indicated by the court, when sentence will be pronounced. The court may sentence the six first named defendants to death.

### Fired Fatal Shot.

Bob Hoffman, one of the men to escape with 20 years, is the man who, according to the confession of Frank Fehrlinger, fired the shot which killed Captain Rankin as he was being drawn up by a rope.

When the jury's readiness to report was announced, militia surrounded the courthouse and a detail of soldiers with revolver holsters open, was deployed around the walls of the court room, but aside from a whispered buzz of conversation, there was no demonstration. The prisoners were handcuffed and under military escort taken to prison.

### Prefers Bribery Charge.

In his argument this afternoon Mr. Pierce, for the defense, asserted in substance that Frank Fehrlinger, Wad Morris and Hirsch Hogg had been bribed into turning state's evidence by Gov. Patterson who had promised them a free and full pardon. At this juncture he was interrupted by Judge Jones, who said that he did not feel that he should allow such a statement made against the chief executive of the state of Tennessee without entering a protest. Mr. Pierce replied: "I don't know how else to state it your honor."

Mr. Pierce is regarded as one of the best criminal lawyers in the state, and a larger crowd than at any time during the trials was present when he arose to begin his argument. He opened, quoting that part of the constitution of the state of Tennessee which guarantees every man accused of a capital offense a speedy and impartial trial under the law, and he quoted the oath that the jury had taken to give the defendants such a

### WEATHER.



### CLOUDY

Cloudy and probably threatening tonight and Saturday; not much change in temperature. Highest temperature yesterday, 29; lowest today, 22.

### FIRST SKATING.

The first skating of the season in Paducah was enjoyed early this morning. Ponds and streams of waters were frozen over, but only a few were thick enough to take a glide over the ice. Between the Nashville, Chattanooga & St. Louis and the Illinois Central railroad tracks, just north of the Union station, a small pond of water was frozen over solid, and quite a crowd of lads enjoyed fine sport until the rays of old Sol were too strong.

He asserted that the civil law had not been deemed enough to bring the men to trial and that the strong arm of the military had been involved in criticism of which he had nothing now to say. He pictured Maj. Holmes as the military judge advocate sitting in his tent at Camp Nemo questioning men and the governor sitting in his guarded tent having them brought before him, and said that everything possible and every power of the state had been used to make a case against these men. He read from the code, the section showing that the governor could not offer more than \$5,000 reward and insisted that the witnesses—Fehrlinger, Morris and Hogg—had been bribed by a pardon to testify as they did. He read law showing that unless the evidence of such accomplices was corroborated by others than accomplices that no conviction could be brought in. He deplored the tragedy in which Capt. Rankin lost his life, stating that in the eyes of the law the lives of these accused men were as much as were the lives of Senator Carmack and Capt. Rankin, but he hoped the law would know no favorites, but would punish the guilty regardless of who they were or who it hurt.

### Judge Rucker Leaves State

Eddyville, Ky., Jan. 8.—(Special.)—Police Judge Rucker, it is understood, will resign his office and move to Jeffersonville, Ind. He is packing up today. He will bring suit in the federal court to recover \$100,000 damages from night riders, who whipped him on the occasion of the Eddyville raid. It is also stated that four more people, including two women, will sue the Louisville Post and its correspondent here, editor of the Lyon County Times.

## CITY PEST HOUSE PROPERTY IS NOW SUBJECT TO TAX

Another suit to force the assessment and collection of taxes on the wharf, market house and cemetery property owned by the city has been filed by Holland L. Anderson, revenue agent for the state at large, and this time, in addition to the property named, for which judgment has been recovered for the past six years, the farm owned by the city, on which the pest house is located, is included. It is alleged that the farm is being used by the city for agricultural purposes and was omitted from taxation for the year 1909. The market house property is claimed to be worth \$50,000; the wharf property, \$25,000; cemetery lots, \$25,000, and the farm property, \$15,000, all of which has not been listed for taxation purposes for the year 1909.

Suit for collection of back taxes and the penalties added was filed by Revenue Agent Anderson against L. Rubel, guardian for Beatrice and Adolph Loeb. It is alleged that on the first day of September of the years 1904-5-6-7-8-9 Mr. Rubel had in his possession cash in bank belonging to said wards as shown by his settlements with the county judge, \$24,428.16, all of which was omitted from assessment and taxation.

## JUDGE BOOE WILL BEGIN HIS TERM THIS AFTERNOON

Frankfort, Ky., Jan. 8. (Special.)—A jury in the Franklin circuit court this morning gave Judge Charles E. Booe, defaulting claim clerk in the auditor's office, five years upon trial of the first indictment of \$5 pending against him for peculation of \$40,000 of the state's funds. The other indictments will be taken up until an agreed term of fifteen years for all offenses will be reached. Booe will begin serving the term in the penitentiary this afternoon. Booe entered a plea of guilty and threw himself upon the mercy of the court.

## DEAD BODY FOUND IN FREIGHT CAR THIS MORNING AT DEPOT WHEN EMPLOYEES ARE LOADING

Cairo Man Committed Suicide in Car by Swallowing Morphine and Was Not Found Until Today.

J. W. BARNES, FORMERLY OF ELVA, TIRED OF LIFE, WRITES NOTE TO DAUGHTER AND CALMLY ENDS IT.

Postponed it For Some Reason and Added Postscript, Dated Two Days Later.

January 1, 1909.  
"Martha, Dear Baby Darling: I am tired of living and so much on my mind I cannot bear it; tell the boys good-bye for me and all the rest of the folks good-bye for me. I want to be buried like I am, no new cloths. Martha you live with Dow and Emma. Don't grieve over me. Tell Dow and Emma and Buster good-bye for me. Tell Eva Brush to think of what I told her and tell her good-bye. I seen her yesterday; she will know what it was I told her. Martha I did want to see you so bad but could not, to come it may concern my home is 217 28 st., Cairo, Ill., but I want to be buried at Elva, Ky. My people live at Elva all but three children, they live at Cairo, Ill. Martha, Billy and Claud. Well good by darling, from Pa. J. W. BARNES.  
P. S. My suit case is at barber shop on Third and Tennessee streets, next to Gardner's drug store, P. S. Jan. 3rd. Put this thing off. Martha come the night I am to do this work.  
J. W. BARNES.

When freight hands at the Nashville, Chattanooga & St. Louis depot entered a box car, preparatory to loading it about 11 o'clock this morning, they found the lifeless body of J. W. Barnes, 217 Twenty-eighth street, Cairo, Ill., formerly of Elva. A note in his pocket told the story of suicide, while a drachm bottle nearly empty of morphine showed that his death was caused by poison. In the note he said he was tired of living and was worried so much that he could not bear it. It is thought that Barnes swallowed the poison Sunday night, but was not discovered until this morning. The empty box car arrived from Jackson, Tenn., Sunday.

Barnes arrived in Paducah December 19 from Cairo, where he has been working for the Singer Sewing Manufacturing company. He stopped at the residence of L. A. Barker, 415 Norton street, a short while, but then left for Elva, where he was visiting relatives. He was seen the latter part of last week by Pat Sneed, a barber on South Third street, with whom Barnes left a suit case. Since then no trace has been found of Barnes. The note he left was dated January 1, but in a postscript dated January 3 he stated he had put this thing off.

Well Known Here. Barnes was known in the city, as he formerly operated the gravel pit at Elva. His wife has been dead a number of years, but he has three children: William Barnes, Claude Barnes and Mrs. Martha Workman, of Cairo. He was especially kind to his only daughter, and the last letter was addressed to her, and he told her to live with his brother, Dow, and his wife, while Buster, to whom he refers, is his nephew.

Barnes was dressed fairly well in a light overcoat and an ordinary suit.

Loose Leaf Sales. Twenty-five thousand pounds were offered at Bohmer's warehouse. The highest price brought was \$8.30 and the lowest price \$4.00. One crop was brought from Dover, Tenn., where the owner was offered \$5.00. He received \$7.50.

## GEORGE FREEMAN HAS RELIGION AND IS READY TO DIE

Resigned to his fate and apparently happy, George Freeman, convicted in circuit court of murder yesterday and sentenced to be hanged by the neck until he is dead, was mixing with the prisoners at the county jail this morning as though nothing out of the ordinary had occurred.

Freeman professed religion several weeks ago and seems to be satisfied with his spiritual condition. Although the condemned man wavered yesterday for a while after he had been returned to his cell, he soon rallied and spent a restful night, sleeping soundly. This morning he ate a hearty breakfast and with steady hand wrote a letter to Elder Griffith, pastor of the Harrison Street Colored Baptist church, inviting him to call at the jail often and administer spiritual comfort. In the letter Freeman declared he was "a child of God" and that if his sentence is affirmed he will be prepared to meet his Maker.

When a reporter for The Sun called at the jail Freeman's voice could be distinguished among a chorus singing religious songs.

He was about 42 years old and about 5 feet 9 inches high and weighed about 160 pounds. He had a sandy mustache and had not been shaved for several days. When found his body was in good condition, preserved by the cold weather.

He was found by Dan Smotherman, a colored freight hand, who was preparing to load the car, which was on the first track next to the platform. When he swung back the door he discovered the body of Barnes lying on the floor of the car. A search of his clothes by Coroner Frank Eaker disclosed the letter and a package of papers, referring to the organization of the labor unions, and a credit book from J. M. Mattingly & company, grocery dealers of Cairo.

It gave the name of J. W. Barnes, 410 Thirty-second street. Another letter signed by Mrs. Winnie Scott, 217 Twenty-eighth street, Cairo, told of illness in the family, but wished him a "Merry Christmas."

As near as could be ascertained, Barnes has three brothers: Civ Barnes and Pomp Barnes, both farmers of Elva, and Jewell Barnes, a farmer residing near the border of McCracken and Graves counties.

After his arrival in the city, Mr. Barker said Barnes acted queerly, and it is believed he was worried over the marriage and separation of his daughter, Martha, although it is said that he was in other trouble. When found there was no money in his clothes, and a small pocketbook was empty. He had told Mr. Barker that he was not "broke" and that he was going to collect \$21 from a "Mr. Raper."

Coroner Frank Eaker had the body moved to the undertaking establishment of Mattill, Edinger & Roth, and it was prepared for burial.

### Treasurer Case

It was agreed in circuit court this morning that the case of J. D. Moequot against Maurice McIntyre and George Walters against John J. Dorrian, should be taken up tomorrow morning at 9 o'clock. Trial by jury has been waived by all the parties and the case will be submitted to Judge Reed.

### Pete Bulger Gets Limit

Benton, Ky., Jan. 8. (Special.)—Peter Bulger, of Paducah, accused of supplying a negro bootlegger, by the name of Campbell, with whisky, was fined \$100 and sentenced to 40 days in jail here. The fine has a workhouse provision attached in lieu of cash. Bulger's companion got away.

## Chicago Market.

	May	High.	Low.	Close.
Wheat	1.08	1.06 1/2	1.07 1/2	
Corn	.61	.61 1/2	.61 1/2	
Oats	.52 1/2	.51 1/2	.52	
Prov.	16.75	16.67 1/2	16.67 1/2	
Lard	9.75	9.70	9.72 1/2	
Ribs	8.82 1/2	8.75	8.77 1/2	