



The Columbus Dispatch.



TWENTY-SEVENTH YEAR.

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JOE FRIERSON GUILTY THE MOTION ARGUED

"REV." JOE FRIERSON, MEMBER OF THE PORTERS' THIEF TRUST, WAS TRIED AND CONVICTED.

Five Indictments Brought Against Him, But Were Consolidated and Verdict Declares Him Guilty in Each Case.

"Rev." Joe Frierson, one of the leading members of the porters' and teamsters' thief trust, was tried before Justice of the Peace Beverly Matthews and a jury Friday afternoon, and was promptly convicted, the jury having reached a verdict in less than fifteen minutes. There were five separate counts against Frierson charging him with receiving stolen goods, but upon agreement between the court and Gen. E. T. Skyes, who represented the defendant, the cases were consolidated, and Frierson now stands convicted of having received five separate lots of merchandise which he knew to have been stolen.

"Major" Lewis was placed on the stand by the State, and said that he had carried goods to Frierson which the latter knew to have been stolen, and that Frierson had given him a box of tobacco and some other articles for his services.

Mr. Baxter, who works at the grocery store of Mr. C. C. Richardson on Market street, from which some of the articles came, stated that he had seen Frierson and Lewis in conversation on numerous occasions, and that their actions had aroused his suspicions.

The theory advanced by the State was that Napoleon Irby, one of Mr. Mr. Richardson's porters, stole the goods and sent them to Frierson by Lewis, and the testimony of Mr. Baxter had a tendency to bolster up this theory. Sheriff Eggleston and Constable Loftis both stated that when the goods were found at Frierson's house he first claimed that they belonged to a negro named Jim, whose surname he could not remember, but subsequently admitted that they had been brought there by "Major" Lewis. This evidence, however, was ruled out by the court, as no statement made by the prisoner to an arresting officer can afterward be legally used against him.

Frierson, when introduced in his own behalf, stated that the goods found by the officers when they made a search of his house had been conveyed there by "Major" Lewis, who had promised to call for them at a later date. He denied having any knowledge of where they came from, and stated that he had no idea they were stolen. His story in its entirety was apocryphal, and seemed to produce little effect upon the jury.

Mary Frierson, wife of the accused, also gave testimony which was of a nebulous nature. She admitted having advised her husband not to let Lewis leave the things there, but stated that she said this not because she believed herself that the things were stolen, but because she was afraid that the presence of the goods might arouse the suspicions of the neighbors.

The strongest witness introduced by the defense was Mr. L. A. Vaughn, manager for the Columbus Dry Goods Company, where Frierson was employed as porter. Mr. Vaughn was placed on the stand as a character witness, and said that Frierson had been in his employ for something like a year and that he had always considered him honest, truthful and reliable. Witness admitted on cross-examination, however, that since the existence of the thief trust had been made public, his confidence in Frierson's honesty had been somewhat shaken.

In arguing the case Gen. Skyes sought to create upon the jury that "Major" Lewis was the real culprit and that his client had in a measure been persecuted. The jury, though, did not seem to take kindly to this idea, for after having been out only a few minutes they returned declaring Frierson guilty as charged in the indictment.

It has been the custom in these cases to give the parties convicted a fine of fifty dollars and ninety days on the county farm in each case, but as Frierson operated extensively he was granted wholesale rates, having been given a fine of twenty-five dollars and a sentence of ninety days in each of the five cases in which he was convicted. In the trial of the case Justice Matthews exhibited extreme leniency toward the prisoner. After the jury had been empaneled and sworn, the defendant's attorney

TO SET ASIDE INJUNCTION RESTRAINING SALE OF NEW SOUTH PLOW WORKS ON FRIDAY LAST.

Mr. C. R. Smith, Who Secured the Injunction, Was Represented by Judge Cayce and Betts & Sturdivant for Bank.

A motion to dissolve the injunction restraining the sale of the New South Plow Works under mortgage was argued before Judge McCool at Kosciusko on Friday. The Merchants & Farmers Bank holds a first mortgage on the property for \$15,000, and the plant was advertised to have been sold under this mortgage on November 24th. A day or two prior to that date, however, Mr. C. R. Smith, who holds a second mortgage on the plant for the sum of \$20,000, through his attorney, Judge Newnan Cayce, applied to Judge McCool for an injunction restraining the sale. The injunction was granted, whereupon Messrs. Betts and Sturdivant, attorneys for the Merchants & Farmers Bank, filed a motion to dissolve and set aside the injunction.

It was the motion to dissolve the injunction restraining the sale which was argued before Judge McCool in Kosciusko on Friday. Judge Cayce having appeared for Mr. Smith, and the Merchants & Farmers Bank having been represented by Major R. C. Betts, of the firm of Betts & Sturdivant. At the conclusion of the argument Judge McCool decided to take the matter under advisement, saying that he would announce his final decision in the course of a few days.

The Chair Factory Matter.

Col. C. L. Lincoln, who several months since was appointed receiver for the defunct Columbus Chair Co., has returned from Kosciusko, where he went to consult with Hon. Jno. A. Davis, referee in bankruptcy, in regard to winding up the affairs of the company. There are two mortgages held by Messrs. Simon Loeb & Bro. and W. D. Askew, and a deed of conveyance of certain property to Mrs. Simon Loeb, the validity of which has been questioned, and the affairs of the company cannot be settled until the referee decides the mooted point. Referee Davis promised Col. Lincoln to render a decision in the matter within the coming week.

The Cotton Market.

The National Ginners' report was received at the local office of Messrs. C. C. Taylor & Co. yesterday, and gives the amount of cotton ginned to December 1 at 9,950,000 bales. The government report on the amount of cotton ginned to the same date is due tomorrow, and the estimate on the entire crop will be published the following day. Both announcements are being awaited with interest by cotton men throughout the entire world.

The market on yesterday was quiet. New York spots were quoted at 10.95, January futures in New York at 10.91, New Orleans spots at 10%, and January futures in New Orleans at 10.34. In the local market good middling was quoted at 10%.

objected to two of its members, although he had previously examined and accepted them, and although such procedure is, to say the least, unusual, the court allowed the two jurors to retire and replaced them with tallismen selected from the bystanders. Justice Matthews, although evincing commendable firmness and a resolute determination to perform his full duty in Frierson's case, as well as in the cases of the other members of the thief trust, has shown all the way through a desire to give the prisoners every chance of proving their innocence, and none of them can truthfully claim that they have not been fairly treated.

John Sampson, one of the porters employed by Mr. C. C. Richardson, was tried Friday, and upon being convicted was sentenced to pay a fine of fifty dollars and to serve the required ninety days on the county farm.

Ollie Johnson, a negro who runs a store in the Cherokee neighborhood, was tried yesterday afternoon, the charge against him being that he purchased goods from "Major" Lewis which he knew had been stolen. The proof against the negro was convincing, but on account of the fact that he had previously borne a good reputation Justice Matthews let him off with a fine of fifty dollars, having omitted the usual ninety days on the farm.

CITY COUNCIL MEETS GREAT DEVELOPMENT

CITY COUNCIL DECIDES TO EXTEND MAIN STREET TO THE EASTERN CORPORATION LIMITS.

Council Also Decides to Pave Street Crossings—A Number of Matters of Grave Importance Are Also Disposed of.

The City Council met in regular monthly session last Tuesday night and disposed of several matters of interest and quite a lot of routine business. One of the most important matters to be considered was the extension of Main street to the eastern corporation line, which came up in the form of a recommendation embodied in the regular monthly report of Mayor Gunter. The only break in the right of way already acquired by the city is a parcel of ground owned by Mrs. Ben Cosper, and the purchase of this property was recommended by the mayor. He stated that the property could be bought for one hundred dollars, and upon motion of the finance committee was authorized to make the purchase.

The opening up of Main street will give us a thoroughfare from the river to the eastern corporation line, and will afford the people living in the Williams' addition and the Lake Park neighborhoods direct communication with the business portion of the city.

Another matter brought up in the report of the mayor which was favorably received and acted upon by the council was the paving of the street crossings. Mayor Gunter recommended that all street crossings in the business district be paved with cement blocks, and upon motion the recommendation was accepted and the street commissioner ordered to install cement blocks at the intersecting points of the streets mentioned in the mayor's report, and at such other crossings as Mayor Gunter may indicate.

Upon the recommendation of Prof. Joe Cook, it was ordered that Miss Gore, the teacher at the Air Line school, be allowed the sum of forty dollars per month for a session of nine months. At a former meeting of the council Miss Gore's salary was fixed at thirty dollars per month, but Prof. Cook stated that in schools similar to the Air Line school the county paid the teachers a salary of forty dollars per month, and upon motion Miss Gore was allowed compensation at the same rate. Prof. Cook also recommended that the salary of supply teachers at Franklin Academy be increased to three dollars per day. Supply teachers up to the present date have been receiving only two dollars per day for services rendered.

Upon motion, duly seconded and carried, it was ordered that Prof. Cook, in making his report upon the alien pupils at Franklin Academy, be required to give the names of these pupils, their place of residence, and the amount collected from each. Heretofore Prof. Cook has only been turning in the amount collected without furnishing any information as to from whom the money was received, and the council wants a detailed statement of all collections.

Capt. Donnell, the acting secretary, read a letter from Major H. M. Waddell, the efficient city secretary and treasurer, who has been ill in New Orleans for some time past, in which he regretted his inability to be present at Tuesday night's meeting. The letter was approved and the council adopted a resolution of sympathy for Major Waddell in his continued illness.

Upon motion it was ordered that the sum of \$208, which was expended by Mayor Gunter and Councilmen Moore and McClanahan when they went to St. Louis and Chicago last summer on business for the city, be refunded to them.

Street Commissioner Childers was authorized to enter into a contract with W. A. Gibson for the rental of five acres of land belonging to the gravel pit tract, said contract to be ratified by the finance committee. After having allowed the regular monthly accounts, the council then adjourned.

Mrs. C. Marx and her daughter, Miss Ida, have arrived in Columbus from Chicago, and will make this place their future home. Mrs. Marx, who is a sister-in-law of Mr. L. Marx, one of the owners of the street railway, has rented the house on North Seventh street formerly occupied by Mr. T. L. Crumbagh.

INTERSTATE LUMBER COMPANY TO BUILD LARGE MILLS TO SAW UP THEIR TIMBER NEAR HERE.

Mr. John A. Stinson and Dr. J. D. McCullough Working to Locate the Immense Lumber Plant in Columbus.

Several weeks ago The Dispatch announced that Messrs. John A. Stinson, Dr. J. D. McCullough and Henry Rehtin had consummated a deal whereby the Interstate Lumber Company, a Pennsylvania syndicate, with an office at Attalla, Ala., has acquired the timber rights on a large tract of land, about seven thousand acres in all. This land is located on the line of the Southern Railway partially, beginning in the Steen's neighborhood and running north along the Yellow and Hell creek bottoms for a long distance, the timber rights sold extending beyond Vernon, Alabama. While the consideration was not given out at the time, and has never been made public, for that matter, it is understood that the consideration was in the neighborhood of fifty thousand dollars, and the three gentlemen in question made a handsome profit on their investment. Since that time that company has employed Mr. Rehtin, who is a timber expert, at a large salary, and they have continued to acquire timber lands in this section until how it is estimated that their total holdings amount to fifteen thousand acres, upon which there is not less than one hundred and fifty million feet of timber, which will require a mill of the largest capacity fully fifteen or twenty years to cut the same.

The development of such an immense undertaking is no small matter. To market the timber it will be necessary for the company to build a line of railroad intersecting the Southern in the neighborhood of Steens and from this section it will have to run in a northerly direction as far as Vernon, or as far as the company acquires timber rights. The tract of hardwood timber which this syndicate has acquired is as fine as any in the South; it is native growth and when once opened to the markets they have an investment which will yield them thousands and thousands of dollars profit.

Not only will the construction of a line of railway be necessary to market this timber, but it will have to be equipped with locomotives, logging trains, switches, sidings, stations, etc., and this feature of the enterprise in itself is a large undertaking, which will involve an immense outlay of capital. Nor will the expenditure of money stop here. It is not to be expected that the company will carry the timber in the rough any great distance, and a mammoth mill will be erected to work up the timber and to get it ready for the market.

It is the location of this mill which makes the development of this project of especial interest to Columbians. It is thought if the proper efforts are put forth that the Interstate Lumber Company could be induced to locate it in Columbus. There are a number of locations available for such an enterprise, and it would be welcomed here. It would employ not less than a hundred hands and with foremen and office force it would be a valuable acquisition to our industrial enterprises.

While nothing definite has been given out by the company, and its operations are shrouded in secrecy, it is intimated that the building of the mill to do the sawing will be followed by other plants, such as furniture factories, charcoal plants, etc., to employ the finished product. If this is contemplated, the extent of this company's operations can scarcely be appreciated, as their mills and factories will be a city almost within itself.

It is rumored that the company has acquired the Bob Nickels place on Yellow Creek, with a view of locating their mill there, but this rumor cannot be verified at this time. This location, it is claimed, is above overflow, a very important consideration, and it will admit of the building of an immense pond for the logs to be kept in as a means of preservation. It is known that representatives of the company have been in this section the past week, and it is intimated that this locality has been selected. This report cannot be verified at this time.

Two of the problems which would confront those who hope to get the company interested in Columbus as

GREENVILLE KILLING

NEGRO RUNS AMUCK AND SEVERAL PEOPLE ARE SHOT BEFORE HE WAS FINALLY ARRESTED.

Mob Would Have Finished the Demon, But the Officers Got Him Away to Prison Safely; Five Dead and Dying.

Greenville, Miss., Dec. 7.—As a result of one negro's drunken spree, an Englishman, Enoch Thompson, a painter, is dead, Policeman H. A. Abercrombie is dying, the wife of the negro and the negro himself are believed to be dying, and two others are injured.

W. P. Cofer, a policeman, is shot through the body and may die.

Will Vaught is shot through one of his arms.

A. Wainer, a merchant, is shot in the leg by a stray bullet.

Felix Holman, a negro, who recently came here from Arkansas, entered the boarding house of Rachael Pratt, a negress, where Holman's wife, Cellina Holman, from whom he had been separated for some time, is a cook. Holman tried to persuade his wife to return to his shanty, but when she refused he leveled a forty-five caliber revolver and fired. The bullet entered her breast and she fell to the floor unconscious.

The noise attracted officers to the scene. Patrolmen W. P. Cofer, H. A. Abercrombie, accompanied by Enoch Thompson and Will Vaught, attempted to enter. The negro had barricaded himself in the room, and before the door was forced had time to fire several times. The attacking party returned the fire. At the first exchange Mr. Thompson fell, shot through the heart, dying instantly. Abercrombie was next to fall. When Vaught fell also the attacking party retired some distance to consult.

When the officers and their allies departed the negro darted from the boarding house, ran across the street and took refuge in a cotton warehouse. He was shot at several times, three of the bullets taking effect in his body, but reached the warehouse. It was not until preparations were made to burn the warehouse that he surrendered to Officer Crouch.

Attempts were made to lynch him, but the crowd, by this time grown to a mob, lacked a leader, and the badly frightened negro was finally landed in jail.

TERRIBLE WRECK ON SOUTHERN RAILWAY.

Five Killed and Twenty Wounded Near Danville, Va.

The special wire to the cotton exchange in this city brought the news yesterday of another terrible wreck on the Southern Railway, the fearful accident occurring near Danville, Va., not far from where President Samuel Spencer was killed two weeks ago. It was stated in the telegram that five were killed and twenty wounded. A singular co-incidence of the catastrophe was the death of the engineer who was pulling the ill-fated train upon which Mr. Spencer lost his life not long ago.

Christmas Bazaar.

The Pastor's Aid Society of the First Methodist church will have their annual bazaar at the Gilmer Hotel Friday next, beginning at three o'clock in the afternoon, and continuing throughout the evening. There will be a select assortment of homemade candies and a beautiful display of dressed dolls, aprons and fancy work of all kinds.

Mr. Rupert Richards' friends regret greatly to hear of his illness, he having been confined to his bed for the past week at the home of Col. W. D. Humphries.

a site for their mills is the question of rates into this city on the logs and the question of water for preserving their timber. A large body of water is desired, and several sites for artificial lakes have been suggested. The matter of rates into Columbus can be handled effectively, for the railroads offer the usual mill-in rate on timber, the same as cotton, which enables a manufacturing concern to bring its product in the rough to a city free, provided they will ship the finished output over the same road.

The matter is being talked of freely, and it would not be surprising if efforts were put forth to get the company to locate their plants in this city.

MUNICIPAL EXHIBIT

FOR THE FISCAL YEAR ENDING SEPTEMBER THIRTIETH, SHOWS CITY TO BE IN GOOD CONDITION.

General Fund and Water and Sewerage Fund Are Both Overdrawn, But \$5,772.09 is Yet in School Fund.

The financial exhibit of the city for the fiscal year ending September 30, 1906, which was prepared some time since by City Treasurer Waddell, has just been published, and shows the finances of the city to be in fairly good shape. The report shows a deficit of \$12,602.64 in the general fund, but as an offset to this deficit there is due the city from property holders deferred payments on sidewalks amounting to about \$6600.00, thus leaving an actual shortage of only about \$6000. More than this sum has been expended in permanent improvements—new machinery at in the neighborhood of \$6000. In addition to this there has been expended about \$3000 in building cement sewers and culverts, and an equal amount in extending water and sewer mains; so thus it is shown that more than the amount of the actual deficit has been expended in permanent improvements.

The water and sewerage fund is kept separate and apart from the general fund, and at a glance it would seem proper that the money expended for new machinery at the waterworks and for the extension of water and sewerage mains should have been taken from this fund. The water and sewerage account was overdrawn, however, and as the extension of the mains was imperative there was nothing to do but take the money from the general fund. The waterworks, as everyone who is familiar with its finances knows, has never been a source of revenue, and according to the financial exhibit just published there is a deficit of \$9659.10 in the water and sewerage fund. This condition of affairs at the waterworks has been discussed time and again at both regular and special meetings of the City Council, and repeated effort has been made to place the waterworks on a paying basis, or at least make the plant self sustaining. No satisfactory agreement was ever reached, however—there having been great diversity of opinion among the various members of the council as to how the desired end should be accomplished. Under the present system no account of any water used by the municipality is kept, nor is the city charged for her fire hydrants. One or two members of the council have always contended that the general fund should be charged with the fire hydrants, and for water consumed at the city hall and other municipal buildings at regular rates, and the water and sewerage fund credited with the amount. The reason for this claim is that, were the waterworks owned by a private corporation, the city would be compelled to pay for her fire hydrants, as well as for all water used for domestic purposes, and as there is a separate water and sewerage account the same should be credited with all service rendered the municipality. Although the matter has been so often discussed, no definite action has ever been taken, and the deficit remains.

The exhibit shows a surplus of \$5,772.09 in the school fund, so the actual shortage in dollars and cents, not including the money due on sidewalks, is only \$16,489.65, and the \$6,500 due on sidewalks brings the shortage down to about \$10,000. Mayor Gunter thinks that it will be an easy matter to repay this money during the next twelve months. He says that in his budget for the ensuing year he has included money for both the fire department and the waterworks which he does not believe will become necessary to expend. In the recent bond issue provision is made for improving both the fire department and the waterworks, and the mayor says that these improvements will obviate the expenditure of the money provided in his budget for repairs made necessary by the wear and tear of ordinary usage. Mayor Gunter is of the opinion that the city's finances are in fine shape—taking into consideration the fact that with the large sum spent on permanent improvements there is only a small deficit in the general fund. This opinion seems to be well founded.

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