



LYNCHERS FOILED IN DANVILLE.

The Officers of the Law Determined. Wanted to Lynch Roy Seals. Grand Jury Indicted Mob Leaders. Swift Punishment by Mayor Wooding. The Majesty of the Law Upheld.

DANVILLE, Va., July 27th, 1904.

Flagman James L. Armes (white) was shot and killed, Friday night, July 15th, 1904 in the yards of the Southern Railway by an unknown party. After a vigorous search, Roy Seals, (colored) was arrested and identified by R. B. Talbot, (white) who was with Armes at the time he was fatally shot.

This identification however was not conclusive, and many people, both white and colored were convinced that Seals was not the guilty party. The Danville Light Infantry, the only military organization in the city left for St. Louis on the 17th and rumors were circulated that an attempt would be made to take Seals from the jail and lynch him.

DEMANDED THE PRISONER.

About 2 o'clock Wednesday morning a mob appeared at the Danville jail. It numbered about seventy-five men and consisted principally of railroad employees, wearing handkerchiefs over their faces. They demanded Roy Seals in a most boisterous manner and declared their intention to lynch him.

The authorities had been previously notified that such an attempt would be made. Mayor Harry F. Wooding was surprised to receive a visit at his home from the wife of one of the leaders of the mob, who told him all about the plans of the mob-leaders. He was accordingly on hand and addressed the lawless men, ordering them to disperse.

WOULDN'T RESPECT THE MAYOR.

They paid no attention to his utterances, but swept by the faithful official carrying the Mayor along with them. The police officers opened fire, but not aiming to kill. They warned the leaders however that certain death awaited all those who attempted to break into the jail.

Finding the guards determined, after half an hour's parleying the mob dispersed. The leaders boldly asserted that they would get Seals and return and anyway. There was a decided feeling of uneasiness and not until the gray dawn of morning did the guard feel relieved, and express the opinion that for the present the danger had passed.

WERE PREPARED TO MEET THEM.

The authorities were prepared for emergencies and acted at once.

Judge A. M. Aiken of the corporation court took cognizance of the affair and acted at once. A special grand jury was speedily empaneled for the purpose of investigating Roy Seals, and the night before. It was composed of Messrs. E. G. Mosely, A. W. Donath, L. G. Martin, W. P. Hodgnett, W. D. Cook, J. R. Swain, George W. Robertson, H. D. Guerrant and N. A. Fitzgerald. It convened Wednesday July 29th, 1904.

MOB LEADER CAPTURED.

Daniel Talley, one of mob leaders, who had openly defied the officers, dashing against them alone had been captured, disarmed and placed under arrest, but was later released by order of Mayor Wooding, who thought that this would have a quieting effect upon the mob. It did not do so however and further legal steps were taken.

MANY INDICTED.

The special grand jury completed its labor, Thursday afternoon July 28th, and returned indictments against the following white men upon the charge of attempting to lynch Roy Seals, colored who is accused of the murder of flagman James L. Armes (white): W. D. Talley, R. B. Talbot, Whit Meyers, Charles Pruitt, Walter Clark, Solomon Hudgins, Wicker Armes, W. Bal Ragland, Charles Vaughan, Edward Buckner, N. J. Wall, William Harris, Frank Childress, R. J. Lynch, George C. Mills, Elijah Williams, William H. Mann and Pleasant Meyers.

THE OFFICIALS ACTED PROMPTLY.

Wicker Armes is brother to the murdered flagman. Presentments were made against Wicker Armes and Bad Pruitt for threatening to shoot Mayor Harry L. Wooding and Police Officer Robert S. Wynn, while in discharge of their official duties, and against R. J. Lynch for assaulting deputy City Sergeant, R. J. Woolfolk, while in the performance of his duty. Commonwealth's Attorney, Thomas Hamlin filed an information in such case.

The special grand jury recommended certain members of the fire department whose headquarters face the alley

leading to the jail in which alley the officers made their stand against the mob, viz: E. E. Uter and L. D. Perkins should be cautioned and reprimanded by the court for using improper language towards the police force calculated to discourage them in the discharge of their duties and to inflame the mob. It complimented the police force in dealing with the situation and in handling the mob without blood shed.

MANY LYNCHERS LEFT TOWN.

The action of the special grand jury created consternation in the ranks of the city "lynchers." Some left the city by "the foot route," while others were in hiding. All ideas of further attack upon the jail were abandoned.

Wicker Armes, Solomon Hudgins, W. Bal Ragland, Frank Childress and William Harris were arrested upon the charge of attempting to force the city jail for the purpose of wreaking vengeance upon a Negro, charged with murder.

Armes, Hudgins and Ragland were bailed in the sum of \$200, but Childress and Harris went to jail in default thereof.

JAIL PUNISHMENT FOR LAW-BREAKERS.

The cases of William Harris and Frank Childress were tried, Saturday, 23d inst and Harris was fined \$50 and sent to jail for sixty days, while Childress, a boy of 16 years of age was sent to jail for thirty days.

On Tuesday, 26th inst., Daniel Talley, Wicker Armes, George C. Mills and Bad F. Pruitt were tried, convicted and fined \$50 and sentenced to jail for sixty days. They took an appeal. The indictments against Sol Hudgins, Charles Vaughan, Pleasant Meyers, Charles Pruitt and Walker Clark were dismissed.

THE ATMOSPHERE CLEARED.

Wicker Armes a brother of the murdered man Daniel Talley is the one who led the mob with a shot-gun and engaged in a scuffle with Jailor R. L. Woolfolk.

These convictees have had a most beneficial effect, and no further talk of lynching Seals has been indulged in.

Mayor Wooding, Judge A. M. Aiken and the special grand jury have been highly commended by the law-abiding citizens of Danville, who recognize their promptness and faithfulness to sworn obligations in up-holding the majesty of the law.

Pastor Installed.

Rev. A. Hobbs, the newly elected pastor of the Little Rock Baptist Church of Chesterfield county, Va., who passed a successful examination was ordained the 14th inst in the Third St. Baptist Church of which he is a member. The ordination sermon was preached by Rev. W. H. Stokes, B. D., pastor of the Ebenezer Baptist Church, which was rendered with much power and simplicity. The sermon was preached by Rev. J. J. Woodson, the pastor of Providence Baptist Church, which was received with great delight. Rev. Hobbs has a very promising field and the church has very bright and faithful young men, we think the right man in the right place, and we pray for his success as a minister of the Gospel. The church of which he is a member holds him in high esteem and believe that he will be a great light in the work of his master. Praying that he will continue in school until he is well equipped.

The great John Robinson circus was here Tuesday and gave two of its highest performances to large audiences. The parade in the morning was by far the largest and best ever seen in this city and was witnessed by thousands of people from far and near, who lined the sidewalks and filled every available point of vantage along the entire route. The Robinson show this year presents some new and high-class features, which were all given as advertised. The heavy rains of the night and morning previous made wet and soggy grounds, but the performances were given in detail, nevertheless, entertaining the vast audience for two hours, with one of the best ring performances ever seen here. The John Robinson circus has paid Greenville a visit regularly for many years, and their return will be, as in the past, hailed with delight.—Ex.

Grand Vice-Chancellor T. J. Free in company with M. J. H. Taliaferro of Newport News, Va., was in the city this week.

KNIGHTS OF PYTHIAS.

Another Lodge in Manchester.

Independent Lodge, 75 was instituted at Manchester, Va., Monday night, July 25th by Grand Chancellor John Mitchell, Jr. Price's tally-ho was secured and a party of knights went over to do the work. Those assisting were Past Chancellor J. S. Forrester, Col. John K. Chiles, Capt. Thomas H. Wyatt, Sir David W. Adams, Past Chancellor Wm. E. Mitchell, Col. Jesse Sprague, Past Chancellor Benjamin Scott, Col. T. M. Crump, Past Chancellor P. H. Hodges, G. M. at A., S. S. Baker and Sir John R. Cogbill.

All of the visitors enjoyed themselves. The following officers were installed: G. C., R. J. Jackson; V. C., J. J. Byrd; M. F., P. A. Byrd; K. of R. and S., E. Jones; M. at A., Charley Coleman; P. Nick Jones; M. of W. Aleck Fuller; I. G., Lucas Byrd; O. G., W. C. Clarke. Trustees: Rev. W. R. Ashburn, 18 months; Ben. Thomas, 12 months; Dan. Montague, 6 months.

This lodge was organized through the efforts of special Deputy R. J. Jackson. The Grand Chancellor was much pleased. Refreshments were served in abundance and all heartily enjoyed the good repast. Ladies were present and served the delicacies of the season.

For Sale.

The handsome residence of Mr. B. L. Jordan, 809 N. 31st St., who is declining home keeping in this city.

Description of Property.—Lot 27x125 Ft. to public alley, 14 Ft. wide. Building, 20x35 Ft., two story frame, containing 9 rooms in two flats, rear porch, up and down, length of kitchen. The building has three Ft. solid brick foundation; first story, 10 Ft.; second story, 9 Ft. pitch; five Ft. mansard roof, with Octagon front. Tower, porch and mansard covered with slate. Total height of building, 30 Ft., situated on an elevation of 3 Ft. above the street level, with a drainage of 2 Ft. fall in lot to rear in a distance of 125 Ft. length of lot. A two story tin roof stable, 18x28 Ft. on the lot. Good quality pump water; gas and fixtures in building (in use).

The building is practically new (three years) and modern in every particular, built in 2 flats and for a home. Owner will sacrifice at a price to make a 15 per cent investment. This property is located in that rapidly growing section of Church hill, adjacent to Chimboraza Park. Only 5 doors from the Fountain Baptist Church, 2 blocks from East End School, 5 blocks from Chimboraza Park. The city is now erecting "Chimboraza School," 4 blocks away, at a cost of about Fifty Thousand Dollars (\$50,000). Lines of cars traversing the city pass in view of this property. The Broad St. Traction Cars pass the door. This is a model home or a superb investment—will rent well and to good tenants.

Apply to
B. L. JORDAN,
504 N. 2d St. or 809 N. 31st St.,
City.

Mrs. Laura Hickman will be home the 1st of August, the guest of Mrs. William Harris, 1406 Cary St., & Mrs. Roberta Lester, 405 Linden St. She will be pleased to see her many friends. She will then leave for Powhatan Co., Va., to visit her mother Mrs. Etta Brent.

Killed by Lightning.

Deacon Joe Scott Rowlett of the First Church of Centralia, Va., was struck and killed by lightning July 29th, while at work in the field, plowing. We feel that we have lost a gentleman and a Christian Deacon and a Sunday School worker. He leaves wife, three children, one brother, one sister, mother and father and a host of relatives and friends to mourn their loss.

The funeral took place at the above named church July 29th. The Rev. I. Clark, assisted by the Rev. Geo. Johnson of Richmond, Va., officiated. The choir sang, "Asleep in Jesus, blessed sleep."

Done by order of the Deacon Board,
R. H. Goode,
Church Clerk.

PAYNE

William Payne departed this life Friday, July 29th at 4 P. M., after a long spell of sickness. He was a dear brother. He lived and died a Christian.

"Dearest brother, thou hast left us, and our loss most deeply feel, But 'tis God who has bereft us, He can all our sorrows heal."

His sister,
M. L. C.

BLOODSHED IN MEAT STRIKE

One Killed and One Fatally Injured at Chicago Stock Yards.

PACKERS HAVE 7000 NEW MEN

Chicago, July 27.—Little if any advantage has been gained by either side in the stock yards strike, and there is no hope of any immediate settlement of the difficulty. Realizing that they have one of the hardest propositions to contend with in the history of the packing industry, the packers are leaving nothing undone to gain the upper hand in the struggle with their 30,000 employees, who are on strike. All day long workmen from outside points were rushed to Chicago and taken to the stock yards under police protection to fill the places of the strikers. It was announced by the packers that 7000 new men are now installed in the different plants at the stock yards. With these men and with the new arrivals that are expected each day, the packers expect to get their affairs in such shape that the strikers will be compelled to seek a truce in the hostilities and seek a peaceable settlement at the dictation of the employers.

With all the union workmen out on strike with the exception of the packing house teamsters, the only new additions to the ranks of the strikers are about 100 teamsters, who quit work as individuals, preferring to do this rather than wait for an official order to walk out, and the waitresses in the restaurants at the stock yards controlled by the packing companies. The teamsters have become restless, and the general belief is that few, if any, of the 700 employed in the packing industry will wait for the sanction of the international officers of the union to go on strike.

Rumors of renewed efforts to settle the difficulty by arbitration were thick, but upon investigation they were found to be without foundation. When questioned regarding the situation, Michael J. Donnelly, president of the Butchers' Union, the organization which precipitated the original strike, said:

"I have no hope of an immediate settlement. The fight is on, and the only thing we can do now is to stick to the end."

Lines of vigilant policemen guarded the entrances to the stock yards all day and night, but despite this precaution disturbances were numerous, and two of them ended with fatal results. While an attack was being made on some colored strike breakers as they were leaving the stock yards, John Stokes, one of the strikers, was shot and fatally wounded by one of the negroes. Stokes, together with fully 100 companions, it is said, rushed on the negroes, and one of the latter drew a revolver and fired into the crowd, hitting Stokes. The police were close at hand and succeeded in scattering the rioters after considerable difficulty. During another riot within 100 feet of the same place, and less than an hour after the one in which Stokes was injured, a negro strike breaker was shot and killed. The rioter escaped before the police arrived on the scene, and it is not known who is responsible for the shooting.

Chief of Police O'Neill, who has taken personal charge of the 375 policemen detailed to stock yards duty during the strike, declared that the police had the strike situation well in hand, and that they would be able to control the strikers and their friends. When Mayor Harrison was asked if he intended to take any action in an attempt to stop the strike, he said that for the present at least the matter would be under the control of the police department, and that as yet the strike was purely an affair to be looked after by the police.

FITZ AND O'BRIEN MIX IT UP

Fought Six Fast Rounds, With Last Cut Short After a Knockdown.

Philadelphia, July 25.—Bob Fitzsimmons, the grand old man of the prize ring, and Jack O'Brien fought six rounds at the Philadelphia National League hall park. The bout was fast and furious from start to finish, and was stopped in the sixth round by the police after O'Brien had been knocked down. The fight still had a minute to go, and O'Brien might not have walked to his corner, for he had just been knocked down to a sitting position by one of Bob's left-hand jabs and had not fully recovered when the bell sounded, ending the contest, in obedience to a motion of command from the police official. One smash on the jaw from Fitz's terrible right might have sent Jack to dreamland, and Bob was steady himself for the blow when the gong rang.

But while worried, O'Brien was not disgraced. In fact, he made friends by the fight he put up. Jack carried the fight to Fitzsimmons in the earlier rounds and did comparatively little running away throughout the contest. He was down four times all told—once in the first, fourth, fifth and sixth rounds—but was dazed but once, and that was the last time, in the sixth. O'Brien hit Fitzsimmons even more often than Bob hit him, and had Bob's face bleeding from the first round, but the Philadelphia boxer was never able to shake the old timer, who stands very firmly on his feet.

SAW HIS BRIDE DROWN

Boat Upset Returning From Camp and Husband Could Not Save Her.

Laurel, Del., July 26.—Young and pretty Mrs. Henry Dashiels, a bride of five weeks, was drowned by the capsizing of a boat in which she and her husband were returning to their home from Bivalve Camp.

In some unexplainable manner the boat was upset and both occupants thrown into the water. Mrs. Dashiels sank before the husband could reach her side. She came up twice in different places, but each time sank before the now frantic man could reach her side. He continued to swim around in the water until rescuers took his unconscious body out of the water. He is in a precarious condition. Mrs. Dashiels' body was not recovered.

Worked Green Goods Scheme.

Clarksburg, W. Va., July 27.—Thos. W. Tichenal, alias O. S. Gundell, postmaster at Pleasant Hill, Preston county, W. Va., was lodged in jail here by Postoffice Inspector Edward L. Allen, charged with working a bold green goods scheme. In his position as postmaster Tichenal is charged with sending circular letters through the mails claiming that he had been an engraver in the treasury department at Washington, and proposing to sell bank notes at \$1 for \$10 worth of the spurious money. The arrest is of national importance, as his correspondence shows names of people in all parts of the country who were willing to circulate counterfeit money. Tichenal will have a hearing on Friday.

Visiting Cards.

Why pay enormous prices? We send fifty nice visiting cards, name and address, postpaid, for 15c. coin or stamps. Richmond Card Co., Barton Heights, Va.

—Rev. John W. Henderson, pastor of Shiloh Bapt. Church of Atlantic City, N. J. was in the city last week. He preached at Tear Wallep Bapt. Church, Cumberland Co., Va.

—Mr. P. G. Farrell of Roxbury, Va. called on us. He lost all of his property and would be thankful for any help which may be forwarded to him.

Mrs. Nannie Carter, Mrs. M. E. Dixon, Mrs. Mary White in company with Sir J. J. Booker, D. D. G. O., of Newport News, Va., called on us.

Mrs. John G. Smith who has been indisposed has improved sufficiently to be able to leave for the country this week.

Judge Emory Speer's Opinion.

The Fourteenth Amendment. A Colored Man Released.

THE GREAT WRIT OF RIGHT—MUST BE TRIED BY A JURY—WAS NOT DUE PROCESS OF LAW. A REMARKABLE PHILLIPIC.

HENRY JAMISON DISCHARGED.

A Federal Court's Decree Respected.

[CONTINUED FROM LAST WEEK.]

To properly determine this case it seems essential to inquire in the first place whether an order of the Recorder directing that a person shall serve a term in the Bibb county chain-gang is a sentence to infamous punishment. The law upon this subject is settled. In *Ex parte Wilson*, 114 U. S., p. 417-47, Mr. Justice Gray, for the unanimous court, announced that whether or not a crime is infamous must depend upon the fact, whether by the statute defining it, an infamous punishment can be awarded. And said the learned Justice, p. 428:

"For more than a century, imprisonment at hard-labor in the state-prison or penitentiary, or other similar institution, has been considered an infamous punishment in England and America."

MR. JUSTICE GRAY'S OPINION.

Justice Gray continues: "That the punishments 'that consist principally in the ignominy,' Sir William Blackstone classes 'hard labor in the house of correction or otherwise,' as well as whipping, the pillory, or the stocks. (4 Blackstone's Commentaries, p. 377). And Mr. Dane, while treating it as doubtful whether confinement in the stocks or in the house of correction is infamous, says 'punishments clearly infamous are death, galleys, pillory, branding, whipping, confinement to hard labor, and cropping.' (2 Dane's Abridgment, 569-570)."

This decision was rendered in 1884, and from it there has been no judicial departure. (Rose's notes on U. S. Supreme Court Reports, 10 vol. 1074 et seq.) It is perhaps not inappropriate at this point to recall the fact that this salutary doctrine of constitutional law has been of service to the people of this district in the prosecution of the practice of prosecuting illicit distilling and other violations of the internal revenue laws by information.

PREVIOUS DECISIONS.

In view of the case with which such charges were presented, and the profits flowing therefrom to informers and others, frivolous prosecutions were multiplied, great inconvenience and unjust oppression, was experienced by the rural population. This was averted by the decision in this court, in *United States vs. Johannsen*, 35 Fed. 407-414. Adopting the definition of an infamous punishment as expressed in *Ex parte Wilson* supra, and calling attention to the liberalizing and humane tendencies of the law as advanced by a progressive steps of our Supreme Court, we announced that:

"Hereafter the courts of the United States of this district will take no action in the large class of cases involved, save after the presentation or indictment by the grand jury. This was averted by the decision in this court, in *United States vs. Johannsen*, 35 Fed. 407-414. Adopting the definition of an infamous punishment as expressed in *Ex parte Wilson* supra, and calling attention to the liberalizing and humane tendencies of the law as advanced by a progressive steps of our Supreme Court, we announced that:

"That crime is rare, that the impartial law respecting investigations of the Grand Juries, would bring to the bar of justice the willful lawbreaker, but would in all likelihood disclose the sinister and malevolent informer who has used the powers of the government to perjury to his malice, or to his greed for the prerequisites of the witness for the prosecution."

All of this has been proven true. Thus it will be seen that the enforcement of a constitutional principle which in one case deprives the municipal authorities of the profits which arise from involuntary and unpaid servitude imposed not for crime but for peccadilloes, on another occasion and for fourteen years since then became the salutary and effective defense of the rights and the peace of the people.

INFAMOUS PUNISHMENT.

The most cursory view of the evidence in the record will convince the impartial that practically every ignominious mark of infamous punishment is stamped upon the miserable throng in Bibb county chain-gang. This is clear from the testimony of the superintendent, E. A. Wimbish, and from the uncontradicted evidence of witnesses who have there expatiated their disregard of sanitary provisions of the City Code. The sufferers wear the typical striped clothing of the penitentiary convict. Iron manacles are riveted upon their legs. These can be removed only by the use of the cold chisel. The irons on each leg are connected by chains. The coarse stripes, thick with the dust and

grime of long torrid days of a semi-tropical summer, or encrusted with the icy mud of winter, are their sleeping clothes when they throw themselves on their pallets or straw in the common stockades at night. They wake, toil, rest, eat, and sleep, to the never-ceasing clanking of the manacles and chains of this involuntary slavery. Their progress to and from their work is public, and from dawn to dark, with brief intermission, they toil on the public roads and before the public eye. About them as they sleep, journey and labor, watch the convict guards armed with rifle and shot gun.

ESCAPE IMPOSSIBLE.

This is to at once make escape impossible, and to make sure the swift shading of the picks and the rapid flight of the shovels shall never cease. If the guards would hesitate to promptly file out sentenced for petty violations of city law should he attempt to escape, the evidence does not disclose the fact. And the fact more baleful and more innumerable than all, with each gang stands the whipping post, with the badge of his authority. This the evidence discloses to be a heavy leather strap about two and a half or three feet long, with solid hand grasp, and with broad, heavy and flexible lash. From the evidence we learn that the agency inflicted by this implement of torture is not surpassed by the Russian knot, the synonym of the world around for merciless corporal punishment. If we may also accept the uncontradicted evidence of the witnesses it is true that on the Bibb county chain-gang for no day is the strap wholly idle and not infrequently it is fiercely active. One witness who served many months, testified that if the gang does not work like "fighting fire," to use his simile, the whipping boss runs down the line, striking with apparent indiscriminate violence the convicts who are not so often surprised by the Russian knot, the synonym of the world around for merciless corporal punishment. If we may also accept the uncontradicted evidence of the witnesses it is true that on the Bibb county chain-gang for no day is the strap wholly idle and not infrequently it is fiercely active. One witness who served many months, testified that if the gang does not work like "fighting fire," to use his simile, the whipping boss runs down the line, striking with apparent indiscriminate violence the convicts who are not so often surprised by the Russian knot, the synonym of the world around for merciless corporal punishment. 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