The Times-Dispatch

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THE DISPATCH FOUNDED 1850.

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THIRTY-TWO PERISH IN RAILWAY WRECK

In Addition Seventy Excursionists Are Injured in a Collision.

EMPLOYES FAILE TO OBEY ORDE

Cars Were Pile... Other, and ... jured W...

...trial of ...nd treas- ...of Miners, ...pled the district court of ...r the last ten weeks, has ...last stage and James H. ...eading counsel for the prose- ...is now arguing to the jury that ...evidence presented by the State proves ...e guilt of Haywood as a member, to ...use his own words, "of the worst band ...of conspirators that ever infested any ...section of this country." Mr. Hawley has characterized Orchard's evidence as a plain story told without effort at concealment without boastfulness and without fear. He points out that a cross-examination without parallel in the history of criminal cases failed to alter the story in any one particular. He maintained that the confession of Orchard was "due to the power of divine grace."

All Conspirators Guilty.

Quoting the law of conspiracy that every man connected by the evidence with a conspiracy or combination must be responsible for every act done and every word spoken by a member of the combination, Mr. Hawley said it was a just law because otherwise any man might preach abominable crime and then fall back, claiming that his hands were clean, though the foulest crime resulted from his advice. On this, he said, is based the charge against Haywood, that he murdered ex-Governor Steunenberg and on this was based the affidavit made by the county attorney to extradite Haywood, Moyer and Pettibone. Mr. Hawley repeatedly anticipated the probable argument of counsel for the defense, which he said would be directed towards exciting hatred against some persons connected with the prosecution.

Will Censure Governor.

"You will," he said, "hear charg... brought against the ... who did his duty, ... he established order ... and called out sold... form of the United... sure peace."

Mr. Hawley said ... pected Easterly a... and Haywood and ... they had nothing ... crimes charged aga... did not blame the... selves when they w... crimes.

"Accident"

The killing of Mei... dent at the Vindic... a heinous crime, b... crime was contemp... tention was to blo... non-union men to ... ...

...ed. ...in of eleven cars, ...arquette shop em- ...their families to ...olis for their an- ...running at high ...ty miles an hour ...f. It struck the ...the freight train ...rce es to turn the ...pletely around. ...motives this after- ...side, both headed ...few of the freight ...and it was only a ...to remove all traces ...of them from the scene. ...motives six cars of the passenger coaches remained on the track undamaged, and were used to convey the dead and injured. These were the rear five cars. The two coaches next ahead of these were telescoped. The next car forward stood almost on end after the wreck, its forward end resting on the roadbed, and the rear end high in the air upon the two telescoped coaches that had been following it. Two coaches were thrown crosswise and lay suspended from bank to bank of the cut five or six feet above the rails.

Mass of Debris.

Of the baggage not enough remained to show where it had been tossed. Portions of the baggage car and of the locomotive tenders and freight cars were piled in an indescribable mass of debris.

The twenty-eight dead bodies first taken from the wreck were shipped to Ionia, and the injured were placed on two trains, one of which headed for Detroit, and the other for Ionia. There were about thirty-five injured people on each train. Later in the day the body of Ed. Corwan, the head brakeman of the passenger train, was taken out of the wreck.

Fireman Knowles died on the relief train, en route to Detroit, bringing the list of dead to thirty, with a possibility that more bodies might be found in the wreckage, and that several of the injured may die.

Responsibility is placed squarely upon the crew of the freight train by officials of the railroad. Officials who visited the scene of the wreck soon after the accident secured from the freight the orders under which it was running, and which clearly showed the position of the passenger excursion train, and that the freight had encroached upon the other train's running time.

The special train was due at Salem at 9:10 A. M., and at Plymouth at 9:20 A. M. It passed Salem on time. The time card of the special was telegraphed to the freight crew in the form of a train order, and this order, with the signatures of the freight train crew attached, was recovered by the officials of the road. The freight crew left the scene early, but railroad officials said that they expected simply that they had forgotten.

The collision occurred at 9:13 o'clock, and the freight train should have reached Salem at 9:10, to be within their orders.

ZEKE LEWIS NEXT MAN ON TRIAL

Kendall Not so Positive Now, But Sheriff Says He Was Ringleader.

CHARLOTTE, N. C., July 20.—Zeke Lewis, one of the score of residents of Anson, charged with the lynching of John Johnson, May 28, 1906, was placed on trial in Union County Court this morning. The jury was secured in an hour, and the same witnesses who testified for the State on Jones's case went on the stand to-day to give evidence against Lewis. Sheriff Bogan swore to-day that Lewis was one of the ring-leaders of the mob, and one of those who seized him and took the keys to the jail.

H. D. Kendall, the lyncher who turned State's evidence, gave testimony that differed from that given at Jones's trial. He was not so positive of those whom he saw in the mob, and his mind seems to have weakened under the strain of the former trial. The cross-examination completed, the court took a recess until Monday.

At adjournment Judge Peebles ordered that the jury not be allowed to attend religious services to-morrow, for fear that they might hear a sermon on lynching.

The defense claims that it has a stronger alibi for Lewis than was established in the Jones case.

RIOT GROWING IN KOREAN CAPITAL

Situation Grave and People Warned to Stay In Their Homes.

CITY VERGING ON REIGN OF TERROR

...ar the ...l in prerem... ...ation, and State ...a rule, been r... ...ted States cour... ...wenty years since t... ...Commissioner was c... ...about ten years for ...ent that the powe... ...ent, and the ...ions ...imi-

...and v... in the... treatment ...

The fact ... ease which ... thousand peo... chronic catarrh... doctors over and ... told that their ca... catarrh. It may b... lungs, stomach or ... organ. There is no ... ture of the disease. ... is the remedy. This ... cure them. That d... prescribe for them.

BUT THEY AL... BRING ANY RELI...

Dr. Hartman's idea ... remedy can be made ... as he is making it; t... honestly, of the ... the strictest unif... that this remedy ... ly to the people, ... for it than is ... handling of it.

No other ho... versally adve... label the prin... showing tha... inspection o...

...Burn Railway Station Police Station Frus- ...ice Station Frus- ...p Troops at ...Minister of ...iness at ...still. ...te advices from ...ting is growing ...ts to burn the ...e police build- ...prompt action ...and gendarmes. ...of the govern- ...ed by Japanese ...of the Minister ...shooting wildly ...wo Japanese are ...en killed. Mur- ...frequent, and the ...ost on a reign of ...pletely suspended.

...—A dispatch from ...an enraged mob of ...attacked and burned ...the Korean Premier, ...premier was absent at ...sit to the palace. A ...s published at 5 o'clock ...warning the people to ...r houses. At dusk ma- ...were intrenched behind ...built in the streets ap- ...e palace, in anticipation of ...ack. Militia are patroling ...pro buds.

...anese troops are arriving here, ...they are too few in number to make any attempt to disarm Korean soldiers feasible, and they are now confined to their barracks.

At the formal audience this afternoon Marquis Ito was the first to be received. He had a conversation with the former Emperor lasting ten minutes.

The new Emperor is performing his duties in a purely perfunctory manner. He is said to show little strength of character, and the outlook for his administration of public affairs is not promising.

Dispersed by Police.

This afternoon the rioters surrounding the Premier's residence were dispersed by the Japanese police with the assistance of the artillery. The Premier sought refuge in the palace, the other ministers going to the Japanese residency-general. The cracks of rifles continue to be heard and it is believed that a collision has occurred between Japanese police and Korean soldiers. If Japanese troops attack the Koreans the state of unrest will be aggravated. Troops are patrolling the main streets of the city in the face of a mob inflamed to frenzy by students. The anger of the Korean masses appears now to be directed less against the Japanese than Korean ministers, all of whom they have vowed to kill. The situation appears to warrant the proclaiming of martial law, but Ito, desirous of avoiding interference except to protect foreigners and the throne, is exceedingly reluctant to resort to military rule. The environs of the American and British consulates are guarded on account of their proximity to the palace.

JAPAN NOTIFIED OF ABDICATION

Crown Prince Becomes Emperor and Receives Foreign Officials.

SEOUL, July 20.—The Korean Cabinet has formally notified the Japanese government of the abdication of the Emperor and the accession of the Crown Prince. During the night the imperial deputies visited the mausoleums and made the same announcement to the spirits of their ancestors.

The events occurring here, which are working to the advantage of Japan, are not commented upon at the Japanese residency general, except as they do not affect the program already planned. The new Emperor will occupy the North Palace, the former Emperor remaining in his old refuge, adjoining the American and Russian consulates. The Cabinet continues in office, but, on account of their alarm, two men have in turn refused to accept appointment to the vacant position of the household ministry.

The ceremonies attending the accession of the Crown Prince to the throne were carried out at 10 o'clock this morning. In response to requests, eighty Japanese and other officials, including Marquis Ito, with his military staff, and many consul-generals, were recieved in audience at 4:30 P.M. After the accession of the Crown Prince, the former Emperor took leave of the Cabinet.

JAPAN PROTECT AMERICAN CONSUL

Former Emperor May Take Refuge With American Consul.

SEOUL, July 20.—United States Consul Gammons late yesterday afternoon, in reply to Marquis Ito's offer of protection to foreign consulates, stated that he would leave the matter of protecting Americans to Ito's discretion. On account of the fact that the American consulate-general adjoins the former Emperor's private house, it is daily thought that the ex-ruler will seek it as an asylum of safety, giving as cause the presence of Japanese troops for the alleged purpose of preventing his escape or a possible accident. It is said, however, that since November, 1905, the Koreans have not hoped for American aid.

SHOPS ARE CLOSED AND EXCITEMENT PREVAILS

PING YANG, July 20.—All the shops here are closed. There is great excitement among the natives, who are

(Continued on Second Page.)

...EAN CAPITAL AND FIGURES IN PRESENT TROUBLE

PANORAMIC VIEW OF SEOUL

VISCOUNT HAYASHI.

EX-EMPEROR OF KOREA.

COTTON MEN WILL MEET IN RICHMOND

Accept Invitation to Hold Convention Here In May, 1908.

GREAT BODY OF BUSINESS MEN

Has Nearly 2,000 Members, and Represents Investment of About $1,000,000,000, How Visiting Editor Did City Good Turn.

As the result of a suggestion made originally by this paper, and followed by prompt and vigorous action on the part of the Chamber of Commerce, the American Cotton Manufacturers' Association, with a membership of nearly 2,000, representing an investment of capital amounting to $1,000,000,000 or more, will hold its next annual convention in Richmond.

The coming of this great body of business men to Richmond is due indirectly to the recent visit of the National Editorial Association. So royally were the newspaper men entertained here that the members left determined not only to let the country know through their newspapers of the hospitality and the social and commercial importance of Richmond, but also, as they themselves expressed it, to manifest in every other way in their power their appreciation of the cordiality of their reception. With this in view, one of the most prominent of the members, a former president, who had learned accidentally that the cotton men were about to select their next meeting place, and who realized the advantage to the city of capturing so powerful an organization of business men, wrote at once to the editor of The Times-Dispatch, suggesting that action be taken without delay, and pointing out how best this might be done.

Move Successful.

The action was taken, the Chamber of Commerce got to work, and yesterday the brief and business-like campaign ended with complete success.

The board of directors of the Cotton Manufacturers' Association met at the Hotel Chamberlain, in Old Point Comfore, to determine on the time and place of the next general convention, and a committee representing the Richmond Chamber of Commerce appeared before the body and presented the invitation of the city.

The committee was composed of Colonel John B. Purcell, Mr. William M. Hill, Mr. A. Randolph Holladay, Mr. George Keesee, Mr. Sam W. Meek and Mr. Sam T. Atkinson. The board determined to accept the invitation and to hold the next general meeting of the cotton manufacturers in this city in May, 1908.

It is anticipated that between 1,800 and 2,000 people will attend the convention, the members coming from all parts of the United States and representing practically every branch of the cotton industry.

MAY BE BONES OF POCAHONTAS

Workmen Find Skeleton in Old Parish Church Where Indian Princess Was Buried.

GRAVESEND, July 20.—While excavating on the site of the old parish church where Pocahontas was buried, and which was destroyed by fire in 1722, workmen to-day unearthed a human skeleton. Much interest was evoked by the find, as it was suggested that the bones might be those of Pocahontas.

The skeleton was submitted to experts, who, however, were unable to arrive at any definite conclusion.

The position of the skeleton when the workmen came upon it, facing downward, within two feet of the surface, suggested a more recent burial than that of Pocahontas.

Pocahontas died at Gravesend in 1617. In 1613 she was married to John Rolfe, one of the settlers of Jamestown. In 1616 Rolfe and his wife, in company with a number of Indians, sailed for England.

MAY BE GREAT STRIKE OF TOBACCO WORKERS

Committee Will Leave This Vital Question to Vote of the Union.

ABOUT 60,000 MEN IN UNION

Question of First Importance Is That Many So-Called Independents Are in Trust.

LOUISVILLE, KY., July 20.—The executive committee of the International Tobacco Workers decided to leave to a vote of the union the question of whether or not there shall be a general strike in all the factories of the American Tobacco Company, commonly known as the tobacco trust. There are between 55,000 and 60,000 members of the union in the United States and Canada.

The committee has been in session here all week considering the question of calling a strike, and has also been passing on the cases of the tobacco factories accused of being surreptitiously in league with the American Tobacco Company, but using the union label. The committee decided to take the union label from sixty or seventy of these factories.

Several prominent tobacco men in Richmond, when shown the above dispatch last night, said that they did not anticipate serious trouble in Richmond. It was explained that there were several evident inaccuracies in the statement issued in Louisville, since the American Tobacco Company, commonly known as the tobacco trust, does not recognize the union at all. All of the factories of the American Tobacco Company are open shops, and do not follow any prescribed lines in employing their men, although their wage scale is usually equal to and in some cases above the union scale, and there are a large number of members of the union working in the open shops of the American Tobacco Company. It was also said that there were several independent factories in Richmond operating union shops, employing only union labor, among others Dill Brothers, Larus Brothers and the United States Tobacco Company.

A representative of one of these factories said that while his factory was a closed shop, employing only union men, still the hands were not enthusiastically union in their sympathies, and that they found the weekly dues and assessments somewhat onerous. It was also stated that a very large proportion of the hands employed in tobacco factories were by no means skilled labor, and that in most cases hands could be trained to take their places in a few weeks.

The statement was also made that although the American tobacco operated an open shop, that nowhere in this country was labor more carefully looked after than by this company. A man familiar with the tobacco trade, although not connected with the American company, said last night that however inquitous the methods of the American company might prove to be, certainly their Richmond factories were doing everything that could be expected for their labor, paying prices that were equal to if not above the union scale. Many of the factories maintain dining-rooms for their employes, have resident physicians, and in many other ways look after the comfort of their hands. One of the factories here is giving a life insurance policy for five hundred dollars to every employe who is in their service as long as a year.

SHOOTING AFFAIR OVER CHILD'S ROW

George D. Gravely, Laundryman, Dangerously Wounds Samuel G. Smith, Butcher.

CHILDREN HAD QUARRELED

[Special to The Times-Dispatch.]

DANVILLE, VA., July 20.—As the result of a domestic quarrel, George D. Gravely, driver for the Star Laundry Company, shot and dangerously if not fatally wounded Samuel G. Smith, a butcher of this city, at an early hour this morning. The shooting took place in the Green Street Park, near the home of the two parties, who are neighbors and who live next door to each other.

For some time there has been trouble and frequent tilts between the children of the two men, and this was brought to a climax, it is alleged, when Samuel J. Smith, an eighteen-year-old son of the wounded man, hit a twelve-year-old son of Gravely with a potato as he was passing along the street yesterday.

Fought in Park.

At about 6 o'clock to-day Gravely went to the butcher stall and asked for Smith. He was told that he was in the park, just opposite his place of business. Smith was seated on a bench, and after several words passed a scuffle ensued, during which a number of blows were struck by both men. Smith is much stouter than Gravely and knocked him down. It is alleged by his friends that he was in the act of letting Gravely up, when he pulled his pistol, firing twice, one ball entering the head just below the ear. Gravely's friends claim that the shooting was done in self-defense and that Smith had him on the ground beating him, forcing him to use his weapon. Gravely surrendered, and is now in jail. Application for bail will likely be held Monday. Both men are well known here and regarded as peaceful citizens.

RIOT REPORTED IN SAN FRANCISCO

Four Men Shot and All Police Reserves Are Called Out.

SAN FRANCISCO, July 20.—A riot is reported to be in progress at the United Railroads car barns at Twenty-ninth and Mission Streets.

Four men are reported to have been shot. The barn is said to be on fire, and the Fire Department has gone to the scene. All the police reserves have been called out.

HEAT KILLS NINE AND DRIVES ONE INSANE.

PITTSBURG, July 20.—Nine deaths, one person insane and many prostrations were reported to-day from the oppressive heat and high humidity. The temperature still hovers between eighty-five and ninety degrees.

SHOT FATHER TO PROTECT MOTHER

Young Man of Tazewell Kills One Parent in Defense of Other and His Sister.

"BIG ALEX." WAS DRUNK

[Special to The Times-Dispatch.]

TAZEWELL, VA., July 20.—Thomas A. Beavers, a young white man, was lodged in jail here this afternoon for killing his father, Alex. Beavers, in the northern part of the county, yesterday afternoon. The boy shot his father with a double-barreled shotgun, loaded with buckshot, the load entering the elder man's abdomen, causing instant death. If reports are true, young Beavers killed his father in defense of his mother and sister, whom he had attacked viciously. The story is an extremely sad one, outrivaling any that has occurred in Southwest Virginia for years.

Yesterday afternoon the father returned from Berwind, W. Va., in an intoxicated condition, and when he reached home he was very abusive to his wife and daughter. He first attacked his daughter, kicking her severely, but not seriously injuring her.

He then gave vent to his blasphemy upon the woman whom he had promised to love and protect, and would have injured her had not the son prevented him.

After some persuasion the father left the house and went out on the porch, where he is said to have attacked the daughter again. When on the porch he is said to have attempted to cut his wife with a knife, but she saw him in time to ward off his assault.

The son and daughter and other members of the family demonstrated with the father and tried to quiet him, which seemed to make him so much the worse. Then the son procured a shot-gun and shot his father dead.

Mr. Beavers was known as "Big" Alex. Beavers, and has heretofore borne a good reputation. Young Beavers remained at the home until an officer arrived and placed him under arrest.

HAS SUNSTROKE WHILE FISHING; HOPELESSLY ILL

[Special to The Times-Dispatch]

WASHINGTON, N. C., July 20.—Mr. E. E. Phillips, of this city, suffered sunstroke while fishing in Pamlico River to-day, and was brought to the city to-night in an unconscious condition. His physicians have pronounced his case hopeless, and he is not expected to live through the night. Mr. Phillips is engaged in the butcher business here, though his place has been temporarily closed during the summer months.

TWO MEN ELECTROCUTED BY ELECTRIC LIGHT WIRES.

WASHINGTON, D. C., July 20.—Walter Sousa, an electrician, employed by the Potomac and Electrical Power Company, and Harry Candee, a drug clerk, were electrocuted this afternoon. The two men were making repairs to the electric lights in the drug store in which Candee was employed, when they received shocks that caused their deaths later at a hospital.

JUDGE PRITCHARD DECIDES TO-MORROW

Hears Argument and Will Hand Down Written Opinion.

OFFICIALS CAME ON FAST SPECIALS

President Finley and Judge Humphreys Hurry from Louisville to Asheville to Attend Hearing—Situation Serious for Southern if Judge Sustains Law.

[Special to The Times-Dispatch.]

ASHEVILLE, N. C., July 20.—Argument on the habeas corpus proceedings brought by Messrs. J. H. Good and O. C. Wilson in the United States Circuit Court to secure their release from the sentence imposed on them Thursday in the Police Court for violating, as agents of the Southern Railway, the State rate law, was closed this evening, and Judge Pritchard announced that as he wished to accompany his decision with a written statement he would adjourn court until Monday morning at 10 o'clock.

From the extended arguments by counsel for the petitioners and State in a courtroom crowded to its utmost capacity by hundreds of citizens, eager to hear a continuation of the intensely interesting evidence of the day before, when railway counsel put Police Court Judge Reynolds and those who took out warrants on the rack of examination, the outcome of to-day's hearing is, of course, a matter of speculation only at present.

The court may declare unconstitutional the section of the rate law providing criminal punishment for railways and railway agents who violate the law, and so release the defendants, Messrs. Wood and Wilson. The State will appeal from this decision to the Supreme Court of the United States and the railway will appeal from the fine of $30,000 imposed on it by Judge Long, at Raleigh, to the same court, and thus the State courts, being recognized by the railway, the danger of any clash between courts will pass and the contest will proceed regularly and peacefully through the courts, State and United States.

SOUTHERN ASKS JUDGE TO RESTRAIN ALL PERSONS SUING

The Southern asks Judge Pritchard to hold that the criminal section is unconstitutional on its face because it virtually prevents the railway from appealing to the courts to pass on the validity of the law, and to definitely enjoin all persons from bringing penalty suits or criminal prosecution.

The impression that Judge Pritchard will so decide is based on his previous holdings, the remarks he made to-day at the trial and the belief by some who are on the side of the State that such will be the holding.

There are now here President W. W. Finley, of the Southern; General Counsel A. P. Thom, of Washington; General Counsel Alexander P. Humphreys, of Louisville; Walker D. Hines, of New York, special counsel, and C. H. Ackert, vice-president. Only an occasion of moment could have caused this gathering here, and the running of a special train to bring Mr. Finley and Judge Humphrey from Louisville. It was not the habeas corpus proceedings, important though they are, as being the first test case under the rate law, because any penalty could be avoided by the petitioners taking an appeal from Police Court. They came to secure from the only court which could afford it comprehensive relief from a multiplicity of penalty suits and criminal prosecutions, which if people were aroused to vindicative action, could swamp the railway and harass it beyond endurance.

IF JUDGE'S DECISION IS FAVORABLE, COAST CLEAR

If Judge Pritchard holds the criminal provision section unconstitutional, then the way is supposed to be clear to stop all cases similar to the Asheville Police Court cases by the issuance of a blanket injunction forbidding such processes.

It is the general legal opinion that if Judge Pritchard declares the criminal section unconstitutional there will be acquiesence by the State courts, which have all along contended that the Federal court might rule the statute unconstitutional, but not otherwise suspend a law. It is understood here that the many eminent counsel are in Asheville to get an order which will end an endless procession of suits and prosecutions, whatever form it takes.

Messrs. Rodman and Thom spoke for the railroad and Judge J. H. and J. D. Merriman argued for the State.

WILL PROSECUTE UNTIL THEY BEND

Governor of North Carolina Gives Out Statement Regarding Attitude.

(Special to The Times-Dispatch.)

RALEIGH, N. C., July 20.—Governor Glenn, in a statement to-night as to the attitude of himself and State authorities generally in the prosecution that is on against the Southern Railway Company for not observing the 2 1-4 cent passenger rate act of the recent State Legislature, declared that the $30,000 fine imposed yesterday in Wake County Court was only the beginning unless the company changes its course. The future action of the executive department of the State, he says, depends on the course taken by the Southern and the Atlantic Coast Line, which are the two roads holding out against the operation of the act. "If the will acquiesce in teh law, like the other roads have done, then no further indictments will be made.

But if they persist in selling tickets at a higher rate than 2 1-4 cents I will instruct the State's attorneys to aid the solicitors in sending new bills and prosecuting these railroad companies until they obey the law or the courts of highest jurisdiction declare the rate act unconstitutional. I regret this