

CAPTURED KINCHOW

Japanese Stormed Town Today

TO PORT ARTHUR'S REAR

Report of Japanese Being Decoyed Into Mountain Pass Confirmed.

London, May 25.—The Tokio correspondent of the Central News wires that word has been received there that the Japanese today stormed and carried Kinchow, to the rear of Port Arthur.

Tokio, May 25.—A dispatch received this morning indicated that an attack on the Japanese on Kinchow, to the rear of Port Arthur, is imminent. The Japanese force has a most powerful artillery, with which to make the attack. They are already in position for an onslaught. Spies have ascertained that the Russian defenses of the town consist of some thirty guns and some small pieces.

It is further reported that the Russians have evacuated their position at Kaiping, about 20 miles southeast of Newchwang.

BOTH ACQUITTED.

Neither Tyner Nor Barrett Guilty of Conspiracy.

Washington, May 25.—Within 23 minutes of the retirement, the jury in the case of James N. Tyner and Harrison J. Barrett, tried on charges of conspiracy, brought in a verdict of not guilty.

JAPANESE DECOYED.

Led Into Mountain Pass and Then Decimated.

Paris, May 25.—A St. Petersburg dispatch says the report that Gen. Fok decoyed a force of Japanese into a mountain pass not far from Feng Wang Cheng has been confirmed. The Russians with guns decimated the Japanese, bringing from the hill-top. The Russian loss was one captain and 100 men killed, while the loss of the Japanese was far greater.

TEN MILES FROM CITY.

Japanese Are Said to Be Making Their Way There.

Chefoo May 25.—Word reached here today that the Japanese are now but ten miles distant from Port Arthur. The report adds that heavy firing has occurred near Dalay, toward which the force of Japanese is marching.

JOHN LAVALLEY DEAD.

Brakeman Who Had Both Legs Cut Off by the Cars.

Burlington, May 25.—John Lavalley, the brakeman on the Rutland road who had both legs cut off in an accident at Rouses Point a week ago, died last night at the Mary Fletcher hospital from the nervous shock.

The remains were sent to Alburg, his home, today, in charge of J. A. Corbin.

WILLIAMSTOWN.

Mrs. J. K. Lynde has been suffering with bronchitis.

Mrs. D. H. Strong is spending a few weeks with her brother's family.

The "Brown party" was well attended and the society cleared nearly \$7.

Charlie Moore left yesterday for a two weeks' business trip in New York.

Mr. and Mrs. J. B. Brockway went to Montpelier yesterday to attend the funeral of Mr. Wakefield.

The heaviest thunder shower of the season passed over here yesterday, and there was much damage done by washing out of the roads.

The members of the G. A. R. wish all who have flowers to contribute for Memorial day to bring them to the hall as early as possible Monday morning.

Special Attraction.

A special attraction in connection with Monday evening's great wrestling match will be a bag punching exhibition by Mr. Kerr. Captain Ross, accompanied by a few select sports, witnessed last night an exhibition by Mr. Kerr and the captain has no hesitation in saying that Mr. Kerr is the equal, if not the superior, of any one in the bag punching business.

A STRIKE AVERTED.

Scale Adopted by St. Johnsbury Granite Cutters.

St. Johnsbury, May 25.—Visions of a stone cutters' strike floated about the air here Monday, but all differences were settled and no workman lost time. The point in question was that the local union had never drawn up a scale of prices to work by and that every workman was paid according to his ability rather than by union prices. The first trouble originated when two new granite cutters were given work here for a short time and when they were paid for the work they were not pleased with the amount received. They protested to State Organizer Fred Bruce of Barre who came here Monday and the union held a meeting and a scale of wages was drawn up and the employees were given two months in which to adopt the new scale. A strike here would affect about 50 granite cutters.

PROMINENT NORTHFIELD MAN.

George S. Averill Died This Morning; Aged 72 Years.

Northfield, May 25.—George S. Averill, 72 years of age, died at his home in this place, where he had always lived, this morning after an illness of several months' duration, death being due to a complication of diseases. He was well known throughout the state, having been for many years a passenger conductor on the Central Vermont railroad. He resided at this place 15 years ago. He leaves a wife and one daughter, Abba, and one son, James, of New York city. The deceased was a member of DeWitt Clinton Lodge, F. & A. M., under whose auspices the funeral will be held, either Saturday or Sunday. Mr. Averill had held several offices in town.

INJUNCTION WANTED.

Town of Dummerston Does Not Want Dam Constructed.

Battleboro, May 25.—Judge John H. Watson, chancellor, has issued an order for a stay in the work of rebuilding the Battleboro Gas Light Co.'s dam across West river, at West Dummerston, pending a hearing on a petition for temporary injunction Saturday. The petition has been brought by the town of Dummerston for an injunction on the ground that the dam will be a permanent injury to the town. Part of the dam was carried away by a freshet last spring and the ice damaged the highway considerably. The company states, however, that it paid all the damage. Officers of the company and attorneys will have a hearing before Judge Watson tonight on a petition to vacate the order for a stay.

A \$25,000 SUIT.

Brought Against the Central Vermont by George Wells of Brattleboro.

Brattleboro, May 25.—George Wells, through his counsel, C. C. Pitts, has brought a suit of damages for \$25,000 against the Central Vermont Railway Co. for injuries alleged to have been received at Wardsboro last June. Mr. Wells was riding in a passenger car attached to a freight train. A freight car jumped the track, bringing the train to a sudden stop. Wells was thrown on his back across the back of the seat in front, injuring his spine. He has been confined to his bed until recently but is now on crutches.

TITCOMB COMING HOME.

Returns After Six Months in So. America.

Rutland, May 25.—U. S. Marshal H. W. Bailey received yesterday from John W. Titcomb, at Paraguay, under the date of March 19, a souvenir postal card stating that the well known Vermont expert to reach home about the time the card expected. Mr. Titcomb has been in South America for six months introducing fish culture. He is well known, especially among members of the Vermont Fish and Game league, because of his connection with the state fish commission.

HIS THIRD CASE.

Dr. Don A. Bisbee of Bristol Fights Liquor Law.

Bristol, May 25.—Dr. Don A. Bisbee appeared before Justice H. P. Sherwin Tuesday and pleaded not guilty to keeping liquor with intent to sell without a license. He was adjudged guilty and fined \$300 with costs of \$8.96. He appealed and furnished bail of \$300. Thomas Hooker of Goshen becoming surety. This is the third case now pending against him. State's Attorney J. B. Donway prosecuting.

TO STAY IN RUTLAND.

Physical Director Schenkel Had Call to Brooklyn.

Rutland, May 25.—E. H. Schenkel of the local Young Men's Christian Association was engaged at a meeting of the board of directors of the association yesterday to continue his services as physical director for another year, to September 1, 1905. Mr. Schenkel received a flattering offer from the Brooklyn Central association, but he wished to give Rutland first chance, and the meeting of the board was called that he might give the New York state people an immediate answer.

Bennett-Moulton Co.

For real merit in acting, high order of plays, excellence in vaudeville features and manner of presentation the Bennett-Moulton Co. which will be at the opera house all this week undoubtedly is far superior to any similar organization on the road. This company has been in existence 26 years, and has made a reputation that is second to none. It never advertises anything which it is not capable of doing and by this mode has gained the confidence of our theatre going public and they never fail to respond heartily. We feel certain that the same will hold good this year and shall be glad to see all of our friends.

STEAMBOAT BLOWN UP

Twelve Men Killed and Score Injured.

BOAT IS COMPLETE WRECK

The Fred Wilson Pled Between Pittsburg and Louisville—Property of Coal Company.

Louisville, Ky., May 25.—A telephone message from down the river reports that the steamboat Fred Wilson blew up today, killing twelve persons and injuring a score of others. The Wilson belonged to the Monongahela Coal and Coke company, and plied between Pittsburg and Louisville. The steamboat is a complete wreck.

LEAGUE BASE BALL.

McGinty, "Iron Man," Takes Another Game.

Yesterday's American League scores: At Boston, Boston 2, Chicago 1. At New York, St. Louis 7, New York 4. At Philadelphia, Philadelphia 6, Detroit 4.

At Washington, Cleveland 7, Washington 3.

American League Standing.

Table with columns: Team, Won, Lost, Pct.

Yesterday's National League scores: At Pittsburg, Pittsburg 2, Boston 1. At New York, New York 5, Brooklyn 3. At Chicago, Chicago 6, St. Louis 4.

National League Standing.

Table with columns: Team, Won, Lost, Pct.

College Scores.

At New Haven, Conn., Yale 5, Lafayette 6.

At Ithaca, N. Y., Cornell 8, Lehigh 4.

At Princeton, N. J., Princeton 15, Brown 5.

At Philadelphia, University of Pennsylvania 6, Syracuse University 5.

At Cambridge, Mass., Harvard 8, Georgetown 3.

CENTRAL LABOR UNION.

Regular Meeting Will Be Held Friday Evening, May 27.

The next regular meeting of the Central Labor Union of Barre and vicinity will be held in Carpenters hall, Nichols block, on Friday evening, May 27th, at 7.30 o'clock. The forthcoming Labor Day picnic and other important business will come up for discussion. A full attendance of delegates is requested.

D. A. Cook, President, Alex. Ironside, Secretary.

W. F. WATERMAN'S FUNERAL.

Held This Afternoon From Montpelier Church.

Montpelier, May 25.—The funeral of the late W. F. Waterman was held this afternoon from the Methodist church, the Rev. W. B. Dukeshire officiating, assisted by the Rev. J. Edward Wright. The bearers were Edward Baker, N. C. Peck, John Young and William Dillon. The city council, Bobkaha, G. A. R. and Odd Fellows attended in a body. The burial was in Green Mount cemetery.

Notice to Carpenters.

To keep away from Waterbury, Conn., as the union carpenters in that city are out on a strike for a just cause.

A. J. Stewart, Business Agt., For Local 481, C. and J. of A., Barre, Vt.

WHO IS YOUR FAVORITE?

Standing of Candidates in Times' World's Contest.

Class 1.

Mrs. Laura Westcott, Barre, \$477

Miss Flora Vincent, Barre, 775

Class 2.

Mrs. M. L. Town, Barre town, 7148

James Wark, Granville, 6734

G. H. Adams, So. Barre, 871

Geo. A. Wales, So. Barre, 934

Mrs. J. H. McArthur, E. Barre, 29

Class 3.

A. J. Blodreau, Foxville, 2064

Earnest Seaver, Washington, 1940

Jas. Lord, Orange, 1911

R. R. Ludlow, Boltonville, 925

G. H. Hight, W. Topsham, 290

Class 4.

Henry Westcott, Montpelier, 1356

B. C. Alexander, Berlin, 938

Mrs. J. Burton Pike, Marshfield, 175

Charles Dudley, East Mtp., 115

No Gloss Carriage Paint Made

will wear as long as Devco's. No others are as heavy bodied, because Devco's weigh 3 to 5 ounces more to the pint. Sold by Reynolds & Son.

"CONSPIRACY" CASE TRIAL

Famous Rutland Case in Court.

ARGUMENTS ARE STARTED

Patch Co. of Rutland Versus Protection Lodge of Machinists of That City.

Montpelier, May 25.—After repeated delays the Rutland county case of the F. R. Patch Manufacturing company vs. Protection Lodge, No. 215 International Association of Machinists was reached in supreme court yesterday afternoon. This is a case which at its trial and since it was docketed in supreme court has excited the liveliest interest throughout the state and is known as the "conspiracy case."

The F. R. Patch Manufacturing company is a Rutland corporation which makes a specialty of manufacturing machinery used for marble and stone cutting. In May, 1902, about 40 members of Protection Lodge were employed by the Patch company and many others of its members were employed by the Lincoln Iron works and other manufacturing concerns in Rutland.

On May 12, 1902, the Patch company received a communication from Protection Lodge under its seal dated May 11, making a demand that 54 hours should constitute a week's work, overtime to be paid for at the rate of time and one half, and that the company recognize the union and union principles.

To this communication the Patch company made no reply and on the morning of May 20 all but nine of their workmen struck. The men waited upon Mr. Patch and explained that by recognition of the union they meant that a shop committee from the lodge should be recognized by the company in the arrangement of all difficulties with the men. Mr. Patch replied that he would not recognize the union and that he could not afford to pay the extra wages.

At the time of the strike the company had on hand uncompleted contracts to the amount of \$125,000. With the attempt to bring in men to take the place of the strikers serious difficulties began. The railway station at Rutland was picketed day and night; the company had to resort to artifice to get the men into Rutland; the premises and approaches to the work of the company were picketed and threats of boycott were made at stores and boarding houses if they harbored the so-called "scabs."

On July 23 the company by Joel C. Baker of Rutland, its solicitor, obtained a temporary injunction against 22 of the striking machinists enjoining them from picketing the works of the company and from threats, intimidation and obnoxious epithets to men employed by the company or seeking its employment, and on September 1 the Patch company and the Lincoln iron works obtained an injunction restraining from similar acts Protection Lodge, the local Iron Moulders' Union, Carpenters and Joiners' Union, Brotherhood of Blacksmiths, Federal Labor Union and 38 individuals named.

On November 15, 1902, the suit against Protection Lodge for damages was begun by the service of a writ and declaration upon the president of the lodge. This service was made under section 1050 of the Vermont statutes which provides for service of process upon an incorporated association composed of five persons or more by service of the papers upon certain named officers of the association.

The case was tried at the March term, 1903, of Rutland county court, the Hon. Seneca Haselton of Burlington presiding. The attorneys for the Patch company were Joel C. Baker of Rutland, O. M. Barber of Bennington and M. C. Webber of Rutland. The attorneys for Protection Lodge were James K. Batschelder of Bennington, P. F. McManus and Thomas H. Browne of Rutland. The trial of the case lasted two weeks and after being out 22 hours the jury brought in a verdict for the plaintiff to recover \$2,000.

The case comes to the supreme court on the defendant's exception to certain evidence introduced, to the refusal of the court to comply with five of its requests to charge and on the refusal of the court to grant a new trial after the verdict because of the prejudice shown by the misconduct and wrong doing during the trial of Lyman Ingelston of Castleton, one of the panel of jurors that tried the case. The defendant's exceptions cover 118 printed pages, and an attempt to condense them into a newspaper story would result in extending them over several columns. The appearances in supreme court are M. C. Webber and O. M. Barber for the plaintiff, P. F. McManus, J. K. Batschelder and T. H. Browne for the defendant. The Hon. Joel C. Baker is ill and has been unable to do anything in preparing the case for supreme court.

The Wrestling Match.

Both wrestlers are getting in good condition for their struggle at the opera house on the evening of May 30th. In fact Mr. Ewen was in good condition before the match was arranged as he intends to take in all the Scottish games this summer at Boston, New York, St. Louis and Chicago. Mr. Ewen has a backer who will wager \$200 on his chances to win Monday night's contest. His record in Scotland is a good one and his knowledge of wrestling, strength, youth and undoubted honesty cannot be disputed, and although not saying much he has the utmost confidence he will win.

WANT FINANCIAL AGENT.

Probable Rev. E. A. Bishop will Represent Montpelier Seminary.

Montpelier, May 25.—The trustees of Montpelier seminary held a five hours' session yesterday afternoon at which various matters connected with that institution were thoroughly discussed. Senator W. F. Dillingham, chairman of the board, presided. At its recent annual session in Montpelier the Vermont conference pledged itself to raise one dollar for each member of the church throughout the coming year, the same to be applied in assisting the seminary. This matter was discussed at some length and the board of trustees will cooperate with the presiding elders and pastors of the conference to bring about this result.

The matter of a new principal for the coming year was not settled. The Rev. Dr. E. A. Bishop of Wilmington, Del., a former principal of the seminary, was present and the matter of employing him as financial agent for the seminary was discussed with him and by the trustees. It was left with the executive committee for further action. The seminary has not had a financial agent since the retirement of Rev. J. D. Beeman in 1891, and the need of such an official is keenly felt. Dr. Bishop has a wide acquaintance in Methodism throughout the state and among the alumni of the institution both in Vermont and all New England and it is probable he will be elected to that position. The trustees will meet again during commencement week.

HATCH-McALLISTER.

Postmaster at Lower Cabot Married Yesterday.

Cabot, May 25.—C. P. Hatch, postmaster at Lower Cabot, and Miss Sarah McAllister, daughter of Mr. and Mrs. Linden McAllister, were married at the home of the bride's parents yesterday. The wedding was a very pretty one and occurred amidst a profusion of apple blossoms. The ceremony occurred at 1 o'clock, Rev. F. A. Poole of Barre officiating. The bride's twin sister was bridesmaid and Mr. Pagnin best man. The bride was handsomely gowned in champagne silk trimmed with light blue. The bridesmaid was dressed in pale gray. About 35 friends and relatives were present and Mr. and Mrs. Hatch were the recipients of a large number of beautiful and valuable presents. After a short wedding trip, Mr. and Mrs. Hatch will reside at Lower Cabot.

MONTPELIER HIGH'S PRINCIPAL.

Believed That F. J. Browncomb Will Be Elected.

Montpelier, May 25.—It is currently reported that F. J. Browncomb of Aspen, Col., will receive the appointment of principal of the Washington County Grammar school in place of E. G. Ham, who recently resigned. Mr. Browncomb is at present studying in the training school of Columbia college. He has been engaged in educational work in Aspen for a long time. For three years he was principal of the high school and for six years he was superintendent. It is reported that E. M. Goddard and Dr. P. L. Tompkins, who left the city some days ago to look up candidates for the position, are so well satisfied with Mr. Browncomb's record that they have sent word to that effect to other members of the board here and will return to the city without looking any further.

The Montpelier school commissioners have decided to engage a sub-master for the high school, to have charge of manual training.

WOULD ACCEPT CHALLENGE.

But Wrestler Hoss Wants Further Information.

Editor Times, Dear Sir: In answer to the challenge of Mr. Con Sullivan to the winner of the wrestling match to be contested at the opera house on the evening of May 30, please state for me that if I am the winner I will be glad to wrestle Mr. Sullivan or any man in the state of Vermont; but I am at a loss to know what Mr. Sullivan means by three styles and on the grass. If he would be more explicit it would facilitate matters considerably. Am I to understand the Irish lad is so partial to green that he wouldn't wrestle in the open house or some other suitable place? Awaiting Mr. Sullivan's reply, I am respectfully, Duncan C. Ross.

SUN UNDER A CLOUD.

Montpelier Man Bound Over to Grand Jury.

Montpelier, May 25.—In city court yesterday afternoon the preliminary hearing in the case of State vs. Lev Sun, for larceny, was heard. Sun is charged with stealing \$10 in money from J. A. W. Baker on April 13. The case is in the nature of binding over proceedings. Benjamin Gates represents the state. Sun is about completing ten days in jail for a drunk. Sun was bound over to await the action of the grand jury, bail being fixed at \$500.

DR. WAKEFIELD'S FUNERAL.

Body of Montpelier Veterinary Buried in Green Mount.

Montpelier, May 25.—The funeral of the late Dr. L. C. Wakefield was held from his home on Vine street yesterday afternoon at 4 o'clock. Quite a large number of relatives were present besides many of the friends of the deceased and his widow. Relatives of the deceased were the bearers. Rev. Guy C. Lamson was the officiating minister. C. H. Carpenter was director. Burial was in Green Mount cemetery.

GET AN INCREASE.

Agreement Among Quarrymen at Woodbury.

An agreement has been reached at the Woodbury granite quarries whereby the men running the pneumatic club drills get 4 cents more per hour than the hand drillers.

The jewelry stores will be closed all day Monday, it being Memorial day.

CHILDREN IN A PANIC

Lightning Struck Brook Street Schoolhouse.

PUPILS PUSHED FOR EXITS

Accidents Prevented by Presents of Mind of Teachers--One Mother Fainted Away.

An electrical storm of remarkable intensity struck this section at 10 o'clock this forenoon and in three minutes had passed, leaving the sun shining resplendently. During the storm lightning struck the Brook street school building, causing a panic among the 300 or more children—serious accidents being prevented by the prompt action of the teachers—the electric car service was temporarily put out of commission, and a horse, much frightened by a particularly bright flash of lightning, dashed up Main street, narrowly missing several other teams.

There were only three flashes of lightning and only one report of any volume, and that made a terrific din, while the flash which preceded it was very vivid. The bolt which struck the Brook street building, knocked off the figure of a horse on the cupola and shook the whole structure, but didn't set it on fire. Immediately with the report the terrified children jumped to their feet and made a rush for the doors. The teachers forced open the doors, and then by main force compelled the children to go out by twos and fours. It was due to this action by the teachers that serious accidents were averted, although some of the children did receive bruised heads in the crush. It didn't take more than a minute to get all the children out of the building.

In an incredibly short time, the school yard was filled with screaming mothers, one of whom Mrs. Menard, who had four children in the building, fainted away. She recovered soon, however, and will experience no bad results of the fright. A large number of men ran to give their assistance and were of much aid in quieting the thoroughly frightened children.

One of the school commissioners, B. W. Hooker, hearing of the occurrence, hurried to the building. He complimented the teachers very highly for their presence of mind. The teachers are Miss Margaret Reed, Mrs. F. R. Northrop, Miss Hattie Meburn and Miss Bernice Darling. The same building was struck by lightning last summer, several pieces of slate being torn off.

The electric car service was crippled for nearly half an hour by a bolt which entered the systems and burned out a motor. On the car coming to Barre from the first switch, there was only one woman passenger and she was terribly frightened. One of the male passengers attempted to reassure her by telling her she was "as safe here as in Boston." She was not reassured, and left the car when it reached the lower end of the city.

The horse which ran away was Russell & Baird's. The animal was standing near the firm's place of business on Main street when it became terrified by a flash of lightning, and ran up Main and Washington streets, to Church street where it was captured without without any damage being done.

During this forenoon's storm the wires of the Consolidated company on South Main street were knocked out, the same wires that were disabled last night.

DID MUCH DAMAGE.

Terrific Wind Storm at Vergennes Yesterday.

Vergennes, May 25.—This city was visited by an electrical storm accompanied by a high wind yesterday afternoon which did considerable damage. A shade tree on the corner near the Vergennes bank building was blown down, dragging the telephone wires with it. Two large trees near the Botsford farm and two poles belonging to the Postal Telegraph company were blown over, completely blocking the highway and disabling all wires on the main line. The lumber piles near the depot belonging to the Vermont Shade Roller company, were blown down.

LIGHTNING CAUSES FIRE.

Barn and Considerable Property in Middlebury Destroyed.

Middlebury, May 25.—The severest electrical storm that has passed over this section for some time visited here yesterday afternoon and did considerable damage to the telephone wires and struck the barn of B. B. Hope on Court street, which immediately took fire. An alarm was sounded and the hose companies were soon on the scene, and after an hour's hard work had the fire under control. It was with great difficulty that they saved the house, which was only 40 feet from the barn.

TO GRANITE MANUFACTURERS.

The manufacturers in Barre are requested to keep their granite chips separated as much as possible, the large chips from the small. The street commissioners wish to use them on the streets. Put them where teams can be loaded to best advantage. Per order Street Commissioners.

Notice to Granite Cutters.

Keep away from Montreal, Canada, until the trouble there is settled. Opponents in Montreal will be considered opponents in Barre. Alex Robertson, Secy Barre Branch, G. C. N. U.