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## NET DRAWS TIGHT AROUND CLAUD ALLEN.

### State Presenting Damaging Evidence Against Young Allen—Massie's Chair Shown in the Court Room to Jury.

Wytheville, Va., May 24.—The Bullet scarred chair in which Judge Massie sat at Hillsville the day he was killed in the courtroom and for whose murder young Claud Allen one of the members of the Allen clan, is being tried, was exhibited to the jury to show from which direction the shots had come.

Clerk Dexter Goad took the stand against Allen. He testified he heard shots from the northeast corner of the court room where other witnesses testified Claud Allen stood during the shooting.

That Wesley Edwards, still a fugitive from justice, distributed cartridges to members of the Allen clan shortly before the shooting up of the Court, was the testimony yesterday of John Dalton, a young farmer, in the case of Claud Allen, charged with the murder of Judge Massie. Dalton also said he saw Byrd Marion shoot several times on the courthouse green and this caused the prosecution to order the re-arrest of Marion, who had the day before been released on bail.

Evidence strong enough, in the Commonwealth's estimation, already has been adduced by its testimony to send Claud Allen to the death chair at Richmond for the murder of Judge Massie at Hillsville last March, says the correspondent of the Richmond Dispatch. In his report of last Thursday's session of the court he says:

Two mountains of evidence, which the defense may never be able to overcome, have been built up in this case. First, the testimony of Judge Bollen yesterday, when he said he saw Claud fire the first shot in the courtroom that fateful day, and that he saw the bullet take effect in Judge Massie's right shoulder; second, the testimony today of John Dalton, who said he saw Wesley Edwards pass around loaded cartridges to the rest of the men now indicted for the Hillsville murders just after court had convened the morning of the tragedy.

Just how the defense can repudiate such testimony is a subject of conjecture. The ability of the lawyers for the defense to combat it successfully before the jury is doubted generally by unbiased followers of the trial.

Dalton's testimony easily furnished the surprise and feature of the court proceedings. He had not testified in Floyd Allen's trial, his knowledge of any circumstances in connection with the case not being known at the time. On the witness stand he said he had been standing outside the court house about 8 o'clock on the morning of March 14th. He was a few feet away from a circle of men, in the center of which was Wesley Edwards. Surrounding the Edwards boy, who is still a fugitive, were Sidna, Claude, Floyd Allen, Byrd Marion, Sidna Edwards and two others not known to Dalton at the time but whose descriptions fitted Victor and Freil Allen.

"I saw Wesley Edwards put his hand into his pocket and pull out some loaded cartridges. His friends gathered close toward him, and he passed his handful of cartridges to each one in turn. I could not see which ones took cartridges," was the burden of Dalton's testimony. He said later: "After they talked for a while about witnesses in Floyd's trial, Floyd started up the steps to the court room, and he turned and called back to the others: 'I'll let you all know.'"

Attorney Willis, for the defense, labored manfully to tangle up Dalton on cross-examination, but the witness refused to be shaken materially. The further point was developed under cross-examination that the Allens had followed Floyd up the steps to the court room together and that after the shooting they congregated at the corner across the street from the court house and

went down town in a body. This was the first testimony adduced at either trial to show how the Allens had entered the court room. The Commonwealth always had been able to place them in the court room after the Allens were proven to be inside, but never had it been shown they had entered.

Gruesome reminders of the tragedy were produced in court to day, when Judge Massie's clothes worn the day of his death, were presented by the prosecution and admitted as evidence. Fred Seagle, who had helped embalm Judge Massie's body, identified the clothes and pointed out the bullet holes. The fatal wound was indicated by a hole near the seam of the right shoulder of the coat, and around the hole was a blood spot several inches wide. A second bullet hole was shown in the left leg of the trousers, and below that hole was a long streak of blood. The bullet hole in the right sleeve of the coat was also surrounded by blood. Inside the coat's right shoulder was a splotch of blood under the armpit.

W. C. Quesinberry, former deputy clerk of Carroll county court under Dexter Goad, and of whom Floyd Allen said, when he testified against Floyd in his trial for killing Foster, "he has told the truth and nothing but the truth and I would like to shake him by the hand," was a witness.

Mr. Quesinberry told what he saw during the firing. He related the facts as evidenced by other witnesses to the time when Floyd rose up and said, "I ain't going." "The first fire came from the north east corner of the court room and many shots were fired when I pulled out my pistol and fired two shots at Floyd Allen, who was standing up—he fell. My attention was attracted by a shot in my rear. I turned and saw Fred Allen firing at Foster, who was standing near the door of the jury room with blood streaming down his face, and was very pale and looked like he was dying. I raised my pistol and fired at Friel. My pistol hung and I could not do any more shooting."

He said he saw Sidna and Claud Allen standing in the north east corner near Judge Massie's private office. Victor Allen and Wesley Edwards were standing on a bench on the north west side but more in the rear, and Floyd Allen in the bar.

On cross examination the witness said many shots were fired before he fired. Did not see Floyd with a pistol. Said he reloaded Clerk Goad's pistol soon after the shooting.

J. G. Ayers, an undertaker living at Hillsville, testified that Foster was shot twice in the abdomen, once under arm, once in the head, near the ear, and once in the left arm.

He also said he saw Claud Allen and Wesley Edwards in the street after the shooting and saw Claud rest his pistol on a gate post and fire towards the court house.

He said that Claud came through his store, with pistol in hand, going for his horse.

### State Finishes Its Case.

Wytheville, Va., May 27.—The Commonwealth rested its case against Claude Allen charged with the murder of Judge Massie this morning.

The defense began introducing evidence this afternoon.

While much of the evidence introduced by the State was similar to that in the Floyd Allen case, at the same time the impression seems to be general that a stronger case has been made out against the young man than against Floyd, Judge Bolen's evidence in particular, being very damaging.

It looks now as if the young man will follow Floyd to the chair.

The remaining members of the clan now in jail will not be tried until July term of court.

### Points of State's Case.

First—The fact that Claude Allen fired the first shot of all the many shots in that courthouse the day of the tragedy has been shown by a number of witnesses.

Second—That Claude Allen's

first shot was fired at Judge Massie and took effect in the right shoulder, causing what afterwards proved to be the fatal wound, has been testified to by Judge D. W. Bolen, the Commonwealth's first witness, who had been Floyd Allen's counsel at the trial when the shooting took place.

Third—John Dalton has testified to having seen Wesley Edwards distribute loaded cartridges to some or all of the Allens and their clansmen now under indictment for the Hillsville murders. This formed the newest evidence that the Commonwealth has presented in regard to a conspiracy alleged against the Allens.

Fourth—Claude Allen's participation in the shooting in general and his flight.

Other damaging facts have been brought out by the state piece by piece, adding to the completeness of its case until now, on the eve of the defense's testimony, the young defendant would seem to have but a bare, forlorn hope of escaping the fate of his father, who is now under suspended sentence of death for the murder of Commonwealth Attorney Foster in the same tragedy.

### Almost a Serious Mistake.

Rocky Mount May 25.—A mistake which came near ending with serious results happened last night when Officers Bartholomew and Parrish and Herman Lewis, a Coast Line engineer, entered the Church Street Grocery company which is located on Church street just below the depot, their mission being to capture burglars which were reported to be in the building. The matter was first reported to Officer Bartholomew by a call boy, who asked the officer if anyone slept in the building. The officer replied that he did not think so. The call boy said he had just passed there and that some one was on the inside. The officer immediately set out for the scene and at the depot he met Mr. Lewis and asked him to go with him. At the corner of Church and Hammond they found Officer Parrish, who also accompanied them. Upon reaching the store they found a hole in the front window, that looked like it might have been made with a cudgel. Mr. Lewis was stationed at the front door and Mr. Parrish was sent around to watch the back door, while Mr. Bartholomew entered the store by the hole in the glass. Mr. Bartholomew states that on entering the store he saw the form of a man lying behind the counter with a shotgun aimed at him. The officer immediately covered the man with his revolver and ordered him to come out. This, the man did with his gun still covering the officer. When the man saw that it was the officers, he lowered his gun and when Mr. Bartholomew went forward to arrest him, he found that the supposed burglar was a clerk in the store. Mr. Hinnat, who was the clerk stated that he heard the burglars at work in the store earlier in the night and that he had scared them off and that he had then returned to his room and gotten his gun and came back and waited in the store for the return of the burglars and when the officer entered he thought it was the burglar and came near firing on him.

Important Labor Decision by the Supreme Court.

A very unusual case was decided by the Supreme Court of North Carolina Monday. R. H. Seward, an engineer, was discharged by the Seaboard Air Line Railroad and sought employment with other railroads. These railroads requested his record from the Seaboard and having secured his record, they refused to engage his services. He brings suit for damages against the Seaboard Air Line Railroad. The trial judge who was presiding at the Wake county Superior court granted a motion of nonsuit and he appealed to the Supreme court, and they granted him a new trial. Justice Allen writes the opinion for the Supreme court and Justice Brown writes a dissenting opinion. The statute under which this action was brought is chapter 858, Laws 1909, which is as follows: "If any person, agent, company or corporation, after having discharged any employee from his or its service, shall prevent or attempt to prevent, by word or writing of any kind, such discharged employee from obtaining employment with any other person, company or corporation, shall be guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars, and such person, agent, company or corporation shall be liable in penal damages to such discharged person, to be recovered by a civil action; but this section shall not be construed as prohibiting any person or agent of any company or corporation from informing, in writing, upon request, any other person, company or corporation to whom such discharged person or employee has applied for employment, of the reason of such discharge."

### Poker Game Interrupted While Hold-Up Men Do The Robbing.

Winnipeg, Man., May 25th.—While a number of wealthy Winnipeg residents were engaged in a game of poker last night in a local hotel, the room was invaded by a couple of "hold-up" men.

At the point of revolvers they were ordered to hold up their hands, which was promptly obeyed.

While the men covered the players, the other gathered everything in sight, including money on the tables and in pockets, amounting, it is claimed, to about \$6,000, besides several hundred dollars' worth of jewelry. Then the robbers quickly disappeared.

## HOT CONVENTION FIGHT.

### Underwood and Wilson Supporters Will Fight it Out on Floor

Raleigh, May 26th.—That the Democrats in convention assembled will have a warm time is made evident from an analysis of the returns from the various county conventions. The senatorial issue did not figure to a large extent in many of the counties, though the adherents of Simmons, Clark and Kitchin testified their strength in a few conventions. The action of these conventions was by no means indicative of what the voters will do November 5.

The action of the Onslow county convention in endorsing E. M. Koone for speaker of the house caused interest here. The renunciation of E. J. Justice, of Guilford, in the legislature has led many to believe that he might be an aspirant for the speakership, and a lively fight may result.

For long and short terms on the corporation commission Geo. P. Pell, of Winston-Salem, and E. L. Travis, of Halifax, are in the lead, and unless returns from the other counties are more favorable to their opponents their nomination will likely be made on the first ballot. So many of the counties failed to instruct, however, and any prediction as to who will win at the final showdown is sheer guess work. The situation as regards the candidates for lieutenant governor is much the same and the probable action of the state convention cannot be foretold until the returns from all the instructed counties are at hand.

In view of the fact that Wilson supporters were urged to have the convention go on record for their choice for President the returns cannot be very pleasing to them. This state was practically conceded to the New Jersey governor a few months ago, but there must have been a wonderful change in sentiment to bring about the present condition. While the Princeton man may have a majority of the people with him, as his supporters contend, very few people believe the state convention will go on record for him. It is believed that the Democrats will send an uninstructed delegation to the Baltimore convention.

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## U. S. May Check Big Uprising in Cuba.

Washington, May 25.—Insurrection and disorders in Cuba, threatening the life and property of Americans and believed by the United States to be spreading beyond the control of the Cuban government, caused the American government today to take active steps in preparation to cope with any situation which may arise in the island republic. The third and fourth divisions of the Atlantic battleship fleet were ordered to take on their full quota of marines, making a total of 1300, in addition to the 700 now on the way to Guantanamo on the prairie, and rendezvous at Key West ready to move to Cuba at the instant their presence is needed.

In all, a dozen war ships will be in the immediate vicinity of Cuba within a few days. The army is prepared with an expeditionary force of 15,000 men if it is needed and general staff plans for a campaign to stamp out the rebellion are ready to be put in execution at the call of the president.

The insurrection and the serious labor troubles, as a result of the renewal of the longshoremen's strike, are believed to warrant American preparedness. Of the two, the disturbances which probably will arise at the Cuban ports, through the strikers' operations, are believed to be the more immediate and dangerous element in the situation.

It is believed that the mere presence in such ports of one or more of the American war ships by its moral effect would prevent violent demonstration by the disorderly element.

Should this not be sufficient, a course will be had to the marine force on each of the battle ships. The force would be supplied by hundreds of blue jacks if necessary.

## Champ Clark Candidate for Return to Congress.

Washington, May 25.—Champ Clark has decided to file his petition as a candidate for membership in the house of representatives in the Ninth Missouri district. He will appear as a contestant for the congressional nomination fifteen days before the Democratic convention meets in Baltimore.

Mr. Clark's decision has spread dismay among his friends and has overcome his opponents with bewilderment and joy. He is in the lead in the race for the nomination. Nobody else is in gunshot of him, except Governor Wilson, who has only 155.

Under the Missouri law, candidates for congress must file declarations of their candidacies six days before the primaries. The last day of filing will be June 8, and before that date Speaker Clark's declaration will be on file.

There is no doubt about it. It was made public last night by the Missouri delegates, who asked him to become a candidate for congress.

"I've got a majority of the delegates so far elected to Baltimore," the speaker said today, "but I haven't got a majority of the convention, and I haven't got the two-thirds. It takes two-thirds to nominate. In case I am not nominated for president, the people of my district want me to run for congress again. Why shouldn't I become a candidate for congress. Can you tell me?"

## Notice.

I have a full outfit of tobacco manufacturing machinery that is commonly used in a small manufacturing establishment that I will sell for less than one-half of what it cost. The machinery is in good shape. Any one interested in anything of this kind apply in person or write the Postmaster, Carters Mills, Va.

Now is the time to get rid of your rheumatism. You can do it by applying Chamberlain's Linctament and massaging the parts freely at each application, or sale by All Dealers.

## MAY OFFER \$5,000 REWARD FOR SIDNA ALLEN

### Effort will be Made by Court Officials at Greensboro to Have Forfeited Bond Money Applied as a Reward.

Greensboro, May 27.—With a view to making the price on Sidna Allen's head a sufficient incentive to cause a renewal of the activities of regular officers and possibly entire special detectives into the chase, an effort will be made by officials of the United States District Court here to have the government offer a supplemental reward of \$5,000 for the capture of the leader of the band of Virginia outlaws who shot up the Carroll county court and for which crime Floyd Allen is now under sentence of death.

Sidna Allen is under a \$5,000 bond to appear at the regular term of United States District court which convenes here next Monday. Allen had been convicted in this court for perjury in connection with evidence in a case in which he was charged with counterfeiting. He was convicted on the perjury charge a year ago and sentenced by Judge Boyd to serve a term in the federal prison. Pending appeal his bond was fixed at \$5,000. A month before Sidna Allen led his band into Hillsville the Circuit court, sitting at Richmond, granted a new trial and this was to have been given at the term of court beginning next Monday. The bond is signed by Sidna and Floyd Allen and three other Carroll county men. When it is declared forfeited it is said District Attorney Holton will recommend that it be offered by the government as a reward. This recommendation, it is said, will also have the approval of Judge Boyd.

## 1,000 Underwood Boosters To Baltimore From Georgia.

Atlanta, Ga., May 26.—Georgia's delegation to the Democratic national convention at Baltimore will be escorted by a special party of 1,000 Underwood enthusiasts, who will take with them three brass bands and a life and drum corps, it was announced today. Two special trains of Pullman coaches will be chartered for the trip and arrangements have been made for the "rooters" to occupy the coaches during their stay in Baltimore.

The delegates to the national convention will be named at the State convention to be held Wednesday and will be instructed for Underwood in accordance with the results of the presidential preference primary held May 1. While Georgia is entitled to 28 votes, the delegation will probably number about forty, because of the great demand for credentials to the convention.

District delegations with the exception of those from the fifth, which were named Saturday at causes to be held prior to the convention.

The feature of the State gathering is expected to be the fight to be waged by Thomas E. Watson, one time Populist candidate for the presidency, for a seat on the Georgia delegation. Watson has announced his intention of going to Baltimore for the purpose of continuing his fight against William Jennings Bryan.

## Allegheny Man "Charmed" By a Snake.

Sparta Star.  
Sam Brown, while out in the field grubbing Monday, was "charmed" by a pilot snake. He was working close to the snake and when he first saw it the snake was coiled, with its mouth open, looking him straight in the eyes. As soon as he caught the snake's eyes a strange feeling passed over him. He was unable to move or take his eyes off the snake until his dog came between him and the snake and attracted the snake's attention. Then he was able to get away. He was strangely affected, and could hardly get home, a distance of only a few hundred yards, without staggering and falling, and since he has been right sick.