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REFUSES EXTRADITION OF YOUTH, 17, TO GEORGIA

Feared Fugitive Would Be Lynched

Mattox Flees to Philadelphia for Safety
After Stabbing Irate White Man Who Beat Him and Two Sisters with Auto "Jack"

PHILADELPHIA, Oct. 22—In probably the first decision of its kind in the history of the Commonwealth of Pennsylvania, Judge Clare Gerald Penney of the Common Pleas Court No. 5 here, flatly refused to allow Thomas Mattox, 17, to be extradited to the State of Georgia, because of fears he would be lynched for wounding a white man who brutally beat his two sisters, Emma and Gussie, with an automobile jack.

Mattox was represented by Raymond Pacer Alexander, brilliant colored lawyer of the Quaker City who was largely responsible for effecting the probation-setting verdict last Thursday, when he succeeded in having extradition proceedings halted.

CONTEST ACTION

However, Judge Penney's liberal decision is being appealed by Georgia authorities who charge that the Philadelphia judge has no right to set in on the case because he committed himself to a hearing on a similar matter while a member of Congress. The record shows Penney sponsored an anti-lynching bill in 1938.

July 12, 1942, young Mattox was driving along the Ellerton (Georgia) highway when he twice passed a white man, Wilbur Cornell, on the road. According to information, Cornell, who had two young white women with him, became incensed the second time, grabbed the jack out of his car, struck Mattox and his sisters—Emma, 19, and Gussie, 21—but Tom testified that Cornell's two knives, slashed Cornell and succeeded in getting away with the car, his sisters being in there with him.

GIRLS JAILED

THREE MONTHS

Mattox said his mother, sensing the trouble ahead, gave him money with which he bought a knife and came here to live with relatives. Later, he was brought out, his sisters were held in jail at Ellerton from the evening of the occurrence July 19 until October 10. Three months, finally being released on $100 cash bond. Subsequently investigation failed to show a "true bill" against the girls, who had been beaten on the head, arms, back and across the breast.

As the State of Georgia sought to extradite him, Thomas Mattox (left), 17-year-old youth, wanted in Georgia in connection with a stabbing, was freed by Philadelphia Court Judge Clare G. Penney (right). The judge's decision, which precipitated something of an interstate crisis, is being appealed. Georgia authorities charge that Judge Penney has no right to sit on the case because he once introduced an anti-lynch bill while a member of Congress. — International News Photo.