

THE WEATHER.
Local rains Sunday; Monday fair; moderate variable winds becoming north

THE MORNING STAR

WILMINGTON, N. C., SUNDAY MORNING, APRIL 9, 1911.

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WILMINGTON, N. C., SUNDAY MORNING, APRIL 9, 1911.

WHOLE NUMBER 13,578.

EXPLOSION FATAL FOR MANY MINERS

Probably One Hundred Lives Lost in Disaster at Littleton, Ala.

EFFORT AT RESCUE FRUITLESS

Black Damp Spread Throughout the Workings—Many Victims Were Negro Convicts—Six Bodies Recovered.

Littleton, Ala., April 8.—One hundred and eighteen men are tonight entombed in the Banner mine and but three bodies have been brought to the surface following a terrific explosion early this morning.

The fatal after damp which followed the explosion has so far kept the rescuers operating in a mine, though they have been far enough in the interior to see a gruesome pile of human bodies huddled together near the shaft. It is estimated that about twenty men are in this pile. Officials of the Pratt Consolidated Company, which owns the mine, practically abandoned hope of bringing out alive any of those below the surface.

Practically all of the men killed are negroes. The rescue work cannot proceed with much efficiency until the mine can be bratticed so that fresh air can be forced in to drive out the after damp.

Today's explosion differs from all those of the past years in Alabama in that there are practically no mourners at the openings. Usually there is a great crowd of on-lookers and widows waiting for the victims to be brought out, but the men at Banner were convicts.

It was said that unless relatives should ask for the bodies of the dead they will be buried in the convict cemetery in the mines.

Littleton, Ala., April 8.—Of the 100 to 115 miners who are believed to have met death in the explosion at the Banner mines of the Pratt Consolidated Coal Company near here early this morning less than half a dozen bodies had been recovered when the work of rescue was temporarily suspended at nightfall.

The deadly black damp due to the destruction of the ventilating fans by the explosion, was a menace to all who attempted to enter the workings and it may be several days before all the dead are recovered. Late this afternoon all hope that the men remaining in the mine were alive was given up. It is stated that the black damp had spread throughout the workings.

While no official statement had been made, it is believed the explosion was caused by safety powder ignited by a lamp and followed by dust. When the night crew left the mines shortly before the explosion happened, night fire boss Sparks reported the condition of the mine as good and the day shift was sent to work. There were 170 men in all, only five of whom were free laborers. The others were convicts, mostly negroes sent up from the surrounding counties to serve sentences ranging from ten days to two years.

Immediately following the explosion several of the convicts with mining experience discovered that black smoke was forming. They at once spread the alarm to those who were not instantly killed by the blast and many started a race with death to the entrance. Forty of the miners either reached the outside in safety or got within hailing distance in the shaft and were taken out by rescuers.

Groups of volunteers were on hand, brought by the alarm spread through the valley and a heroic rush into the mine to bring out the victims. This work proved effective until the deadly gases reached the main shaft into which the men were headed and it meant death for all who entered the workings.

State Mine Inspector James Hillhouse, and Assistant Dickerson, together with several other experts and officials of the Pratt Company, were rushed to the Banner mine as soon as news of the disaster reached Birmingham. Dr. Brown, in charge of the government rescue station at Birmingham, also rushed to the scene and assisted Mr. Hillhouse in directing the rescue work.

Among the white men who were brought in the mine and who are believed to be dead are John White, whose home was about three miles from the mine, and a Casey, of Calhoun county; O. W. Spradling, a convict foreman, and Lee Jones.

Charley Brown, one of the negro convicts, was among the first to reach the outside after the blast, but he immediately turned back and penetrated the mine again as far as the black workers. Sixteen men reached safety through his assistance and a score more got as far as the main shaft before they were overcome by the gases.

Dr. J. J. Rutledge and government mine rescue men have left Chattanooga for Birmingham on their way to the Banner. The rescue car apparatus is being taken through the black damp. Rescuing parties have seen men staggering in the mines and dropping on all their faces.

MADERO'S TROOPS NEARING A BATTLE

Broke Camp Suddenly and Started on March to Casas Grandes Region.

SITUATION STILL SERIOUS

Rebel Chief Declares He Would Welcome Any Peace Commission. Gen. Stanley Williams Killed in Fight.

Madero's Camp, Bustillos Estate, near Chihuahua, April 8.—Madero with his 3,000 insurgents broke camp today and started towards the Casas Grandes region, which is evidently a move in accordance with newly laid plans to abandon whatever method of attack he had projected from his camp here. However, the likelihood of a battle within the next few days is as strong as ever, and it is believed the Federals will be the aggressors.

This belief is strengthened by the arrival in Chihuahua today of Gen. Lauro Villar, who succeeded the Federal general, Hernandez, with a detachment of men and several machine guns. It is said that the rendezvous of Madero will be made the terminus of the railroad and within easy marching distance of Casas Grandes, the only Federal stronghold in Northern Mexico.

The departure of Madero's forces was sudden and picturesque. In the dawn the insurgents mounted on horseback and huddled with their horses beneath brilliantly colored blankets, gave a touch of action and picturesque to the scene as they scattered for miles over the broad prairie. Madero himself accompanied by his staff, shortly after day break gave the command to march. The movement will have a serious effect on the plans of Madero's father and brother to enter the country from El Paso on a peace mission. If the Maderos attempt to reach the insurgent leader, the time of their meeting with him will be problematical.

The correspondent is authorized to state that Senor Madero will welcome any peace commission. He will give them every possible assistance to travel safely through the country. To their proposals he will give careful consideration, and will encourage any overtures which seem reasonable to him. "It is folly for any peace commission to come to me with any condition to keep Gen. Diaz in power," Senor Madero said. "That would be yielding the very thing for which we are fighting. Gen. Diaz has told us before we were opposed to re-election, but he has gone along and allowed himself to be re-elected."

Expect a Long Siege. Chihuahua, Mexico, (via Laredo, Texas), April 8.—All doubt that this city is preparing defenses against a long siege was removed today when the military authorities began to enclose the place within a trocha or barbed wire entanglement. Trenches are being dug at many quarters and mines have been placed in the avenues leading to the heart of the town. An American, who occupied a house owned by an Englishman, today protested to the British consul against an invasion of his home by soldiers who began punching rifle loopholes in the walls. When the protest was filed the soldiers desisted.

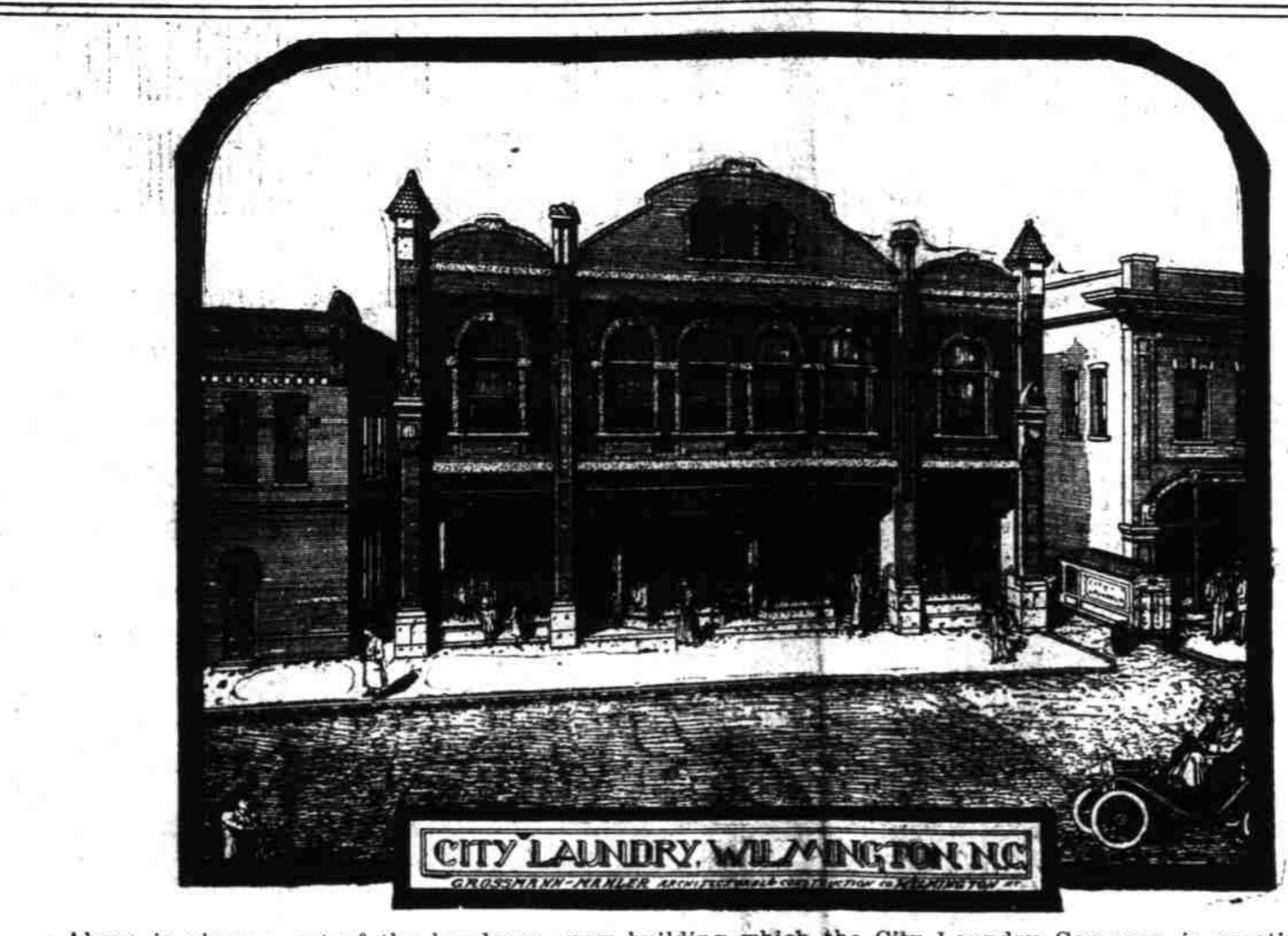
All those who called on Governor Ahumada today were assured of the safety of the city. Some of the insurgents camp are as near as five miles of the city. The Federal outposts are not more than a mile out. Madero has now at his command about 3,000 men all on horseback. The insurgent forces recently were strengthened by large quantities of ammunition and supplies brought down from near the border.

Governor Will Resign. Mexico City, April 8.—As a result of the formal protest made to Minister of Finance Limantour yesterday and later to President Diaz by a committee of wealthy citizens of the State of Guanajuato, it is expected that Joaquin Obregon Gonzales, governor of that State, will present his resignation to the Legislature.

Committee members explained to President Diaz that they did not consider the present governor satisfactory, also that they were not representative of his beliefs.

Fate of Gen. Williams' Forces. Mexicali, Mexico, April 8.—Gen. Stanley Williams hurled his little battalion of rebels against Col. Miguel Mayot's 600 Mexican regulars on the Mesa, five miles south of Mexicali today. Eighty insurgents went into the fight; 20 returned from the battlefield. Williams himself was fatally wounded and is now in the custom here with his head torn by a fragment from an exploding shell. With half a dozen fugitives of his fleeing command he was overtaken by a Federal shell that exploded in their midst, sending up a geyser of flames, smoke and fragments of human bodies. His wagon trains were captured with nearly all of the stores and live stock which he took in his raid yesterday of several ranches.

Survivors straggling into Mexicali tonight declare that the Federals took no prisoners. All those not killed by the fire of the Federal rifles, machine (Continued on Page Eight.)



Above is given a cut of the handsome new building which the City Laundry Company is erecting on North Second street and which will not only provide a most admirable home for this large and growing Wilmington enterprise, but which will add considerably to the attractiveness of the section in which it is located. The front of the building is to be of press brick, trimmed with granite, limestone and Oriental brick. The windows are to be of plate glass. There will be a row of prism lights across the front. There will be two stores, each 19x70 feet in size; laundry office and assorting room 17x70 feet and a work room 57x74 feet in size. There will be a hall upstairs 57x70 feet in size. The top of the work room will be virtually glass as there are eight large sky lights with ventilation. All windows and doors except the front of the building are metal with wire glass, making the building absolutely fire-proof.

SEIZURE OF BIG DISTILLERY J. H. MILLER WAS CONVICTED LIST OF DEAD GROWS LARGER

One of Immense Capacity Near Fremont and Another Near Kinston—One Built Like Tobacco Barn.

(Special Star Telegram.) Raleigh, N. C., April 8.—The biggest blockade distillery seizure in this State in a great while was reported here today by W. K. Merritt, and J. E. Cameron. It was of 750 gallons capacity with full equipment, and was taken northwest of Fremont, while another of 225 gallons capacity was captured within a short distance of Kinston and in 350 yards of the Norfolk Southern Railroad.

The Fremont plant had formerly been a government still, was seized and sold two years ago and then stolen from the government, officers never having been able to get up with it again until now. With it was a full equipment, including a 2,800 gallon mash tub and a 380 gallon doubler or condenser. It was on a 300-acre plantation in a house built to imitate a tobacco barn and had underground steam pipe connection with a cotton gin boiler some distance away, by which the plant was secretly operated when the gin was running.

The plant is on an estate, the executor of which, a brother of the deceased lives in Fremont. All parties now connected with the place disclaim knowledge of, or connection with, the plant. Officers say warrants will be issued at once.

The outfit near Kinston was in full blast and 45 gallons of whiskey was included along with big quantities of beer and corn. The mash plant included building and inclosure with 125 hogs and 40 cords of wood and other equipment. This plant is said to have been running nearly two years with the knowledge of people of that section. Two negroes were at work there when the officers came up and one escaped.

CARTER APPOINTED JUDGE. To Serve Unexpired Term of Judge J. S. Adams.

Asheville, N. C., April 8.—Mr. Frank Carter, of this city, was today appointed judge of the Superior Court for the 15th judicial district to serve the unexpired term of the late Judge J. S. Adams, who died suddenly at Warrenton, this State, last Sunday morning.

Governor Kitchin announced the appointment today after considering the claims of several candidates from this district. Award: J. Morrison to Lynchburg, Va. Claim: V. Tydemann, of Camden, N. J., against Wilmington, N. C., allowed.

IS AGAINST WILMINGTON. National Association Decided in Favor of Tydemann.

Auburn, N. Y., April 8.—The Board of Arbitration of the National Association of Professional Baseball Leagues today handed down the following decisions: Award: J. Morrison to Lynchburg, Va. Claim: V. Tydemann, of Camden, N. J., against Wilmington, N. C., allowed.

FOR YEARS COMMANDING FACTOR IN COTTON SPOT TRADING OF SOUTH—CHARGED WITH USING THE MAILS FOR FRAUD—DETAILS.

Aberdeen, Miss., April 8.—Fifteen minutes after Judge Niles had concluded his charge today a jury in the United States District Court returned a verdict finding J. H. Miller, for years a commanding factor in the spot cotton trading of the South, guilty of using the mails for fraudulent purposes. Within half an hour after the verdict was read Miller had been imprisoned. An appeal for bail, pending an appeal will be heard. The maximum punishment possible is fifteen years imprisonment.

L. C. Steele, C. H. G. Linde and J. H. McKnight, fellow members in the firm of Steele, Miller & Company, will be called for trial Monday.

The failure of the firm last year caused a widespread financial disturbance and with the allegation of whole sale frauds through the issuance of bogus cotton bills of lading, led to a general re-adjustment of the cotton exporting business of the United States. It was charged that banking institutions of the United States and cotton importing concerns of Europe were defrauded of \$4,520,000 value of cotton of an approximate value of two and a half million dollars.

LOUIS HALE ARRIVES. Senator Overman Calls With Capt. Crisp on MacVeagh.

Washington, D. C., April 8.—Louis Hale, secretary to Representative Godwin's committee, arrived today and helped Mr. Godwin move from the House office building to the Capitol. Senator Overman and Capt. Crisp called on Secretary MacVeagh to again urge the promotion of the latter to the position of Chief of the Revenue Cutter Service. H. E. C. B.

OUTLINES. As the result of a mine explosion at Littleton, Ala., yesterday over 100 miners were entombed and very likely all killed.

Efforts at rescue proved fruitless.—Gen. Stanley Williams, the rebel leader who marched out against the Mexican regulars, has been killed and a force of 80 Mexicans dispersed.—The death list of the miners who were victims in the mine disaster at Scranton, Pa., has been increased to 73.—The North German Lloyd liner Princess Irene, which recently stranded off the New York coast, is still aground.—Legislative plans of the Democratic majority of the House, which were recently made known, indicate that the Republican Senate will be given speedily important measures for action.—Col. Roosevelt made his first public declaration regarding his possible candidacy for the Presidency at Spokane, Wash., yesterday.—New York markets: Money on call nominal. Spot cotton quiet, five points higher, middling uplands 14.65, middling Gulf 14.90. Flour steady with fair trade. Wheat firm, No. 2 red 93 elevator and 94 f.o.b. aboard. Corn spot firm, export No. 2 corn 55 f.o.b. aboard. Oats spot steady, standard white 37 1/2. Turpentine easy, machine barrels 79 cents.

"Start Going Tomorrow." Pictures, songs and orchestral music—Grand Theatre.

Scranton, Pa., April 8.—Seventy-three is the revised total of the mine fire at Pancoast Colliery in Throop yesterday. A canvass of the families of the victims shows 45 widows and 127 orphans. It is authoritatively stated that every corner of the workings which a fleeing victim might have reached in his frenzy for pure air has been searched and that every body has been removed. The last group of dead, comprising seven men, were brought up from the depths a little before noon today.

The first body was taken out at 10 o'clock last night. As fast as the bodies were identified they were tagged, and if relatives did not come to claim them they were turned over to one undertaker or another, according to nationality, to be prepared for burial and taken home. The undertakers fairly fought for the bodies believing that the company would stand for a good round charge, and scenes that were disgraceful resulted. Police authorities had to interfere to preserve some aspects of decency.

About every other house in the village of Throop, a typical mining settlement had crept on its door and in some houses there are more than ten corpses. John Sytak and his two sons and a cousin lie in a row in his humble home. In one foreigner's house, seven children are made orphans. The eldest is ten years old. Another foreigner's body was taken to a home, where one child is ill of scarlet fever, and another of typhoid. The funerals will probably be held Monday.

In the matter of the number of victims this is the worst mine horror that has ever occurred in the Lackawanna Valley region, and the worst in the whole anthracite coal fields since the Avondale disaster of September 7th, 1869, when 110 men lost their lives by suffocation consequent to the burning of the breaker.

This catastrophe resulted in the State mine law requiring a second opening in all workings, and that this opening should be more than 150 feet from the first opening.

The Twin shaft disaster of June 26, 1896, in Pittsburgh, near here, claimed 51 victims. These men were entrapped by a cave in, which they were working to prevent by the erection of pillars. Not one of their bodies was ever recovered.

Many explanations are offered as to how the Pancoast victims came to their death, but none of them is as yet generally accepted. One contributing cause, it is said, the failure of inside mine bosses to realize the imminence of danger to the men in the tunnel, until it was too late for them to be gotten out.

Familiarity with danger makes the miner contemptuous of it. A fire in a mule barn, a hoisting engine house, a jump shanty or other of the small flimsy structures inside the mines are of common occurrence and little heed is paid to them. A "pipe" gang is rushed to the scene, a hose is attached to a main or a "bump" and the blaze is extinguished. Little difficulty as a rule attends the fight.

The fire started a little after 9 o'clock. Mining operations continued until 11 o'clock. It is not known, but variously estimated, that it was well on towards 11 o'clock when the danger to the men in the tunnel was realized.

The danger had been underestimated; smoke and the dread black damp which follows a fire in a mine, overtook the men from which there was no escape.

"Start Going Tomorrow." Pictures, songs and orchestral music—Grand Theatre.

TRINITY DEFEATED WAKE FOREST IN A WALK-OVER AT DURHAM—BIG LEAGUE AND OTHER COLLEGE GAMES YESTERDAY.

(Special Star Telegram.) Greensboro, N. C., April 8.—The baseball team of the University of Virginia triumphed over the University of North Carolina in the first of the annual Spring series here today, the score being 3 to 1. Witmer was the main factor in determining the victory, he allowing three hits and his hitting a double and a single at opportune times. Both infields played brilliantly.

DULIS, ON THE MOUND FOR THE TAR HEELS, PITCHED GOOD BALL WITH THE EXCEPTION OF THE FIFTH AND NINTH INNINGS WHEN TRIPLES BY BLAKENY AND DRIVER AND A DOUBLE BY WITMER IN CONNECTION WITH AN ERROR SENT THREE TALLIES OVER FOR THE VIRGINIANS.

In the ninth Carolina urged and cheered on by the cheering of the 300 students, who accompanied their team, made a desperate rally which sent Hasty over the park. Despite the inclement weather there was a good crowd at the game. Features, hitting of Blakeny, pitching of Witmer and team work of Carolina's infield. Score: Virginia 000 010 002—3 8 2 Carolina 000 000 001—1 3 2 Batteries: Witmer and Finlay; Dulis and Witherington. Summary: Struck out, by Witmer 5, Dulis 2; three-base hits, Blakeny and Driver; stolen bases, Hume 3, Hanes, Lile and Neff; umpire Doyle; attendance 3,000.

DURHAM, N. C., APRIL 8.—ATTENTION THAT WAS SOAKED WITH WATER, TRINITY DEFEATED WAKE FOREST IN THE THIRD GAME OF THE SEASON HERE THIS EVENING BY THE SCORE OF 6 TO 2.

Bob Gantt was not in his usual form, but showed his ability to handle the situation in critical moments. Two strikes in the fourth inning Wake Forest had all the bases full and no outs and then scored only one run. Underwood for Wake Forest pitched a fine game after the first inning. Score: Wake Forest 000 110 000—2 7 1 Trinity 000 000 000—0 7 1 Batteries: Underwood and Turner; Bob Gantt and Spruce. Base on balls, Trinity 2, Wake Forest 5; hit by pitcher, Trinity 3, Wake Forest 2.

A. & M. DEFEATS DAVIDSON. Charlotte, N. C., April 8.—Cashion, Davidson's pitcher, went up in the ninth inning of the game.

This afternoon because his catcher, Mattison, injured his little finger so badly that he was forced to retire from the game, and allowed the A. & M. College farmers to tally four runs, winning the contest. The score was 4 to 2.

GAMES WITH BIG LEAGUERS. New York, April 8.—The New York Nationals opened the Polo grounds today by twice defeating the Yale College team by the score of 1 to 0 and 4 to 0.

The first team faced the Chicago Americans today and lost while the New Haven men had the Colts as their opponents in the second one. Yale 000 00—0 1 0 New York 000 1x—1 2 0 Second: Yale 000 00—0 2 2 New York 202 0x—6 2 2 Toledo 000 00—0 2 2 In the seventh inning ended the game this afternoon between the Cleveland second team and the Toledo American Association Club with the score of 3 to 2 at the end of the sixth inning in favor of Toledo.

PRINCETON, APRIL 8.—THE SECOND TEAM OF THE NEW YORK AMERICANS DEFEATED PRINCETON HERE TODAY 4 TO 1. THE GAME WAS PLAYED IN A DRIZZLING RAIN.

Indianapolis, Ind., April 8.—Schlitzer and Merz pitched in remarkable form for Indianapolis today and let the Chicago Americans down with one hit, a single by Zeider, which brought in Chicago's only run, against four runs for the home team.

ST. LOUIS, APRIL 8.—THE NATIONALS WON THE SIXTH GAME OF THE INTER-LEAGUE SERIES FOR THE AMERICANS TODAY 7 TO 1. MANAGER BRESNAHAN APPEARED IN UNIFORM FOR THE FIRST TIME THIS WEEK, HAVING RECOVERED FROM AN ILLNESS.

Nationals 223 000 00x—7 12 1 Americans 100 000 000—1 7 2 Sallee and Bresnahan; O'Denell, Peltz, Hamilton and Clark.

Baltimore, April 8.—The Baltimore Eastern leaguers today defeated Cornell University 7 to 2. Rain stopped the game at the end of the seventh. Baltimore 103 101—7 10 2 Cornell 000 011—2 7 4 Vickers, Pope, Buscher and Byers; Geiger, Krogstad, Carvajal and Abbott.

South Atlantic League. At Augusta 10; Charleston 3. At Macon 0; Albany 5. At Savannah 7; Columbia 3. At Jacksonville 3; Columbus 3.

Concert at Lumina. Today from 8:30 to 5:30 P. M. cars every half hour in afternoon.

VIRGINIANS WINNER OVER CAROLINIANS

Tar Heels Dropped the First Game of Series at Greensboro Yesterday.

A. & M. DEFEATS DAVIDSON

Trinity Defeated Wake Forest in a Walk-Over at Durham—Big League and Other College Games Yesterday.

(Special Star Telegram.) Greensboro, N. C., April 8.—The baseball team of the University of Virginia triumphed over the University of North Carolina in the first of the annual Spring series here today, the score being 3 to 1. Witmer was the main factor in determining the victory, he allowing three hits and his hitting a double and a single at opportune times. Both infields played brilliantly.

Dulis, on the mound for the Tar Heels, pitched good ball with the exception of the fifth and ninth innings when triples by Blakeny and Driver and a double by Witmer in connection with an error sent three tallies over for the Virginians. In the ninth Carolina urged and cheered on by the cheering of the 300 students, who accompanied their team, made a desperate rally which sent Hasty over the park. Despite the inclement weather there was a good crowd at the game.

Features, hitting of Blakeny, pitching of Witmer and team work of Carolina's infield. Score: Virginia 000 010 002—3 8 2 Carolina 000 000 001—1 3 2 Batteries: Witmer and Finlay; Dulis and Witherington. Summary: Struck out, by Witmer 5, Dulis 2; three-base hits, Blakeny and Driver; stolen bases, Hume 3, Hanes, Lile and Neff; umpire Doyle; attendance 3,000.

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BALTIMORE, APRIL 8.—THE BALTIMORE EASTERN LEAGUERS TODAY DEFEATED CORNELL UNIVERSITY 7 TO 2. RAIN STOPPED THE GAME AT THE END OF THE SEVENTH.

Baltimore 103 101—7 10 2 Cornell 000 011—2 7 4 Vickers, Pope, Buscher and Byers; Geiger, Krogstad, Carvajal and Abbott.

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SENSATIONAL END SUPERIOR COURT

Bench Warrant for Stephens, Changes of Venue, Wholesale Presentments.

LOCAL GRAND JURY IS ACTIVE

Judge Peebles Sets Forces in Motion for a General Clean-Up—Important Recommendations—Cases to Pender.

Following the acquittal of Joseph Stephens Friday evening and the severe strictures laid upon the jury by Judge Peebles for what he regarded as a manifest miscarriage of justice, sensational developments followed thick and fast in New Hanover Superior Court yesterday.

Joseph Stephens, who was acquitted of the murder of E. R. Shields, was re-arrested on a bench warrant from His Honor, charging carrying concealed weapons, as admitted on the stand by the defendant while testifying in his own behalf; three other murder cases were continued and removed to Pender county for trial on the ground of local prejudice against capital punishment and the grand jury at the present term of court completed its work with the return of 33 presentments for action at the next term of court, at the same time making a number of important recommendations that should bear fruit in the future administration of justice in this county.

In addition to these features of the day, there were several arrests on indictments already returned at this term and the wax figure show exhibited in this city during the past week and which was called to the attention of the grand jury Friday, was closed up during the evening as the result of the activities of the grand jury and other forces which have been at work in a movement which seems to indicate a general clean-up in the city and county. The verdict in the Stephens case was the most talked-of event in Wilmington yesterday and developments in court were expected. Judge Peebles manifestly had some convictions on the law as to New Hanover county and the courage to express those convictions. The sensational developments in the court during the day, the healthy work of the grand jury and the general trend of affairs seems to presage an awakening of public sentiment that is bound to result in much good to the community.

Stephens, who was arrested on the bench warrant from Judge Peebles, was taken in custody early in the afternoon when he called at the jail to secure some personal belongings left there during his previous incarceration. He was brought immediately into court and Judge Peebles placed his bond at \$500 justified, which he gave with one of the former counsel, Hon. John D. Bellamy, as surety. The bench warrant under which the arrest was made is as follows:

North Carolina, New Hanover County, Superior Court, April Term, 1911. State vs. Jos. Stephens defendant. "The State of North Carolina to the Sheriff of New Hanover county: "Greeting:—Whereas on the trial of the case of State vs. Joseph Stephens for murder at this term of said court said Stephens testified as a witness for himself and stated that prior to the 9th day of July, 1909, and up to that time he had carried each day while off his premises a pistol concealed about his person, you are therefore commanded forthwith to arrest said Jos. Stephens and take him into your custody and him safely keep so as to have him at the next criminal term of said court to answer the State of North Carolina upon a charge of carrying a pistol concealed about his person while off his premises. If he gives a bond in the sum of \$500 justified and conditioned as is required by law for his appearance at said term of said court you will release him.

"Herein fall not and of this warrant make due return. "This April 8th, 1911. "R. B. PEEBLES, "Judge, Etc."

The defendant was accompanied into court by his faithful wife, who was at his side throughout the ordeal of the murder trial. With the defendant in the court room also was Wm. J. Bellamy, Esq., who has been retained to defend him. Hon. John D. Bellamy was sent for and as he is not to appear for the defendant in this case Judge Peebles permitted him to become surety for Stephens, who was then released.

Murder Cases Removed. The case against Dick Gause, colored, charged with the murder of Ned Gibson, colored, a few weeks ago, was set to begin yesterday morning, a special venire of 50 names having been drawn Friday morning, but when the case was called yesterday Judge Peebles said, "let the case be continued." It was held not to try another murder case in New Hanover county. Later in the day Solicitor Shaw filed the following affidavit for removal of the case to another county: "North Carolina, New Hanover County, Superior Court, April Term, 1911; State vs. Dick Gause and James E. Thidal; affidavit. "Henry E. Shaw, solicitor for the

State vs. Jos. Stephens defendant. "The State of North Carolina to the Sheriff of New Hanover county: "Greeting:—Whereas on the trial of the case of State vs. Joseph Stephens for murder at this term of said court said Stephens testified as a witness for himself and stated that prior to the 9th day of July, 1909, and up to that time he had carried each day while off his premises a pistol concealed about his person, you are therefore commanded forthwith to arrest said Jos. Stephens and take him into your custody and him safely keep so as to have him at the next criminal term of said court to answer the State of North Carolina upon a charge of carrying a pistol concealed about his person while off his premises. If he gives a bond in the sum of \$500 justified and conditioned as is required by law for his appearance at said term of said court you will release him.

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