

SHERIFF J. F. SHIPP NOW CONFINED IN A WASHINGTON JAIL, ASKS NO CLEMENCY

He Will Go Back to the People of Hamilton County and Ask for Vindication.

THE GLAMOR WEARS OFF ON THE MORNING AFTER

The Well Known Prisoners Are Today Experiencing Some of the Unpleasant Features of Jail Life.

Washington, D. C., Nov. 16.—Rather than ask for clemency from the government ex-Sheriff Joseph F. Shipp probably will choose to go back to the people of Hamilton county, Tenn., after his ninety days term in jail for contempt of the United States Supreme court has been served, and test their confidence in him by asking a re-election to his old office.

Shipp and his five fellow prisoners, all held in contempt in connection with the lynching, began to appreciate this morning the inconveniences of jail confinement. The novelty of their surroundings yesterday and the atmosphere of martyrdom that surrounded them on previous days, was belied by straw beds and pillows on which they could hardly sleep throughout the night.

In a Washington Jail. Washington, Nov. 16.—For the first time in American history, six men are in prison for contempt of the Supreme court of the United States.

At the United States Jail in this city, Captain Joseph F. Shipp, former sheriff at Chattanooga, Tenn.; Jeremiah Gibson, his jailer, and Luther Williams, Nick Nolan, Henry Padgett and William Mayes of the same city, yesterday afternoon began serving terms of imprisonment imposed a few hours before by the Supreme court of the United States.

As the big barred doors of the jail swung open to receive the prisoners yesterday afternoon, immediately after sentence had been imposed, Warden McKee stood before them.

At least we are in the hands of a soldier," exclaimed Captain Shipp, who had been in many a fight for the Confederacy, as he espied a G. A. R. button in the lapel of Warden McKee's coat.

Warden McKee has inaugurated methods of punishment at the jail as humanitarian as the various classes of prisoners will allow, and he was prepared for the reception of the six men from Tennessee.

About a year ago during the imprisonment of an unusually large number of women, the warden had fitted up a store room on the fourth floor of the jail as quarters for female prisoners. It was in this large room, perhaps 20 by 25 feet, that he locked the six prisoners.

In the room were beds for each of the prisoners, while at one end was a table upon which "trusties" will set their meals three times a day. A bath room, adjoining the room, will be used by the prisoners exclusively.

Four large circular windows open to the south and west, giving excellent views of the front of the building. In fact, so pleasant did the prisoners find the quarters that Captain Shipp sent to the office of the Supreme court to withdraw request he had made when sentence was imposed to be sent to the federal prison at Atlanta, Ga., instead of the jail in this city.

During the afternoon the six men received calls from Tennesseans and others. Sitting on his straw bed, half reclining on his pillow of straw, Captain Shipp made this statement:

"We are very well pleased with the treatment given us by Warden McKee, and are delighted with the quarters assigned us."

STIR SUNDAY IN CHURCH CIRCLES

Pastor of the First Baptist Church at Hendersonville Received Letter Suggesting That He Resign.

MAJORITY OF THE MEMBERS STAND BY THE PASTOR

A Civil Term of the Superior Court of Henderson County is Being Held With a Large Attendance.

The Gazette-News Bureau, Hendersonville, Nov. 16.

Some interesting facts were made known last Sunday morning in the First Baptist church, when the pastor, Rev. J. W. Hughes, read from the pulpit, a letter he had received some time ago, signed by several members of the board of deacons. The substance of this letter was that he, (Rev. Hughes) in consideration of the fact that the church had not made very much progress in a religious way for the past year, should resign. Mr. Hughes felt highly indignant over the receipt of such a communication and, placing it before his congregation last Sunday, asked that they consider the letter, and that if it was the wish of the majority of members he would immediately hand in his resignation as pastor of the church.

The civil term of Superior court in Henderson county convened here Monday morning. A large attendance from the county were on hand and several important civil cases were disposed of. The docket is unusually heavy this term, making it more than likely that the entire two weeks will be taken up in court work.

RAILWAY PROBLEMS UNDER DISCUSSION

Twenty-First Annual Convention of the National Association of Railway Commissioners.

Washington, D. C., Nov. 16.—The twenty-first annual convention of the National Association of Railway Commissioners, which began here today, promises to be the most important session in the history of the association.

The association is composed of the members of the Interstate Commerce commission, the railway commissioners of the various states and other state officers whose duties connect them with railways.

Among the subjects slated for discussion at the meeting are the following: Delays in enforcing orders of railroad commissions, rates and rate making, uniform classification, legislation, powers, duties and work of the state commissions, amendment of the act to regulate commerce, car service and demurrage, construction and operation of electric railroads, made crossings and trespassing on railroads. It is understood that the association will recommend several amendments to the Interstate Commerce law and will approve of the amendments which are advocated by the president.

TO FORM GREATER WAYNESVILLE CLUB

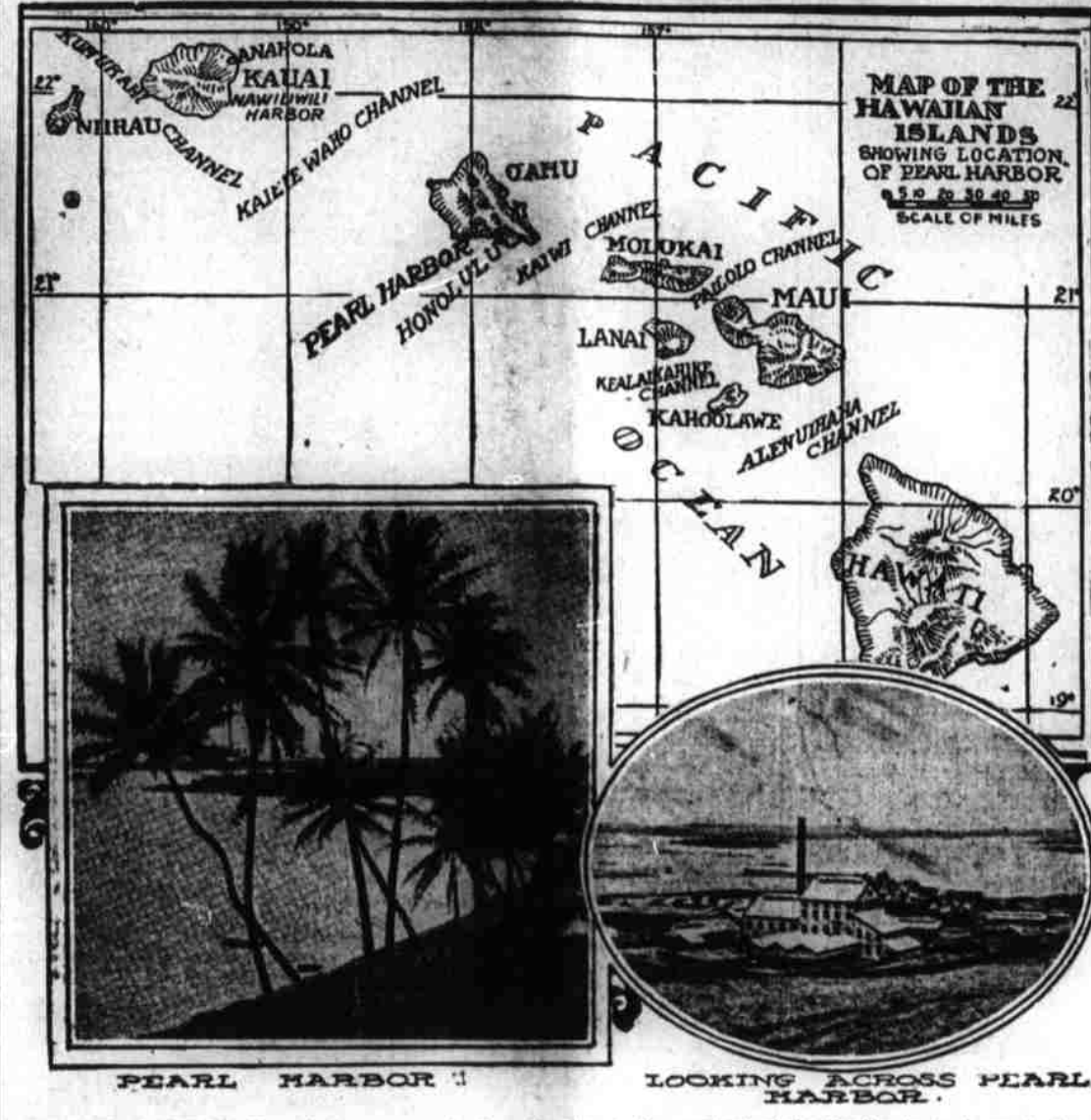
A Meeting With This Object in View Will Shortly Be Held--To Promote That City's Welfare.

Special to The Gazette-News. Waynesville, Nov. 16.—A "Greater Waynesville club" will shortly be organized here, among the young business men, to promote the welfare of what these gentlemen regard as the coming city of Western North Carolina.

A call meeting was held several nights ago in the Waynesville club rooms and a constitution and by-laws adopted. The election of officers was postponed until the final organization this week.

THE WEATHER. Forecasts until 8 p. m. Wednesday for Asheville and vicinity: Rain tonight or Wednesday; warmer tonight; colder Wednesday.

Key to Pacific's Control Is Chosen for Principal Naval Base, in West



PEARL HARBOR, Hawaii, long recognized as the key to the control of the Pacific, is to be made the principal naval base in western waters of the United States and is to be so fortified as to resist attack by a foreign fleet.

TO RESORT TO WRIT OF HABEAS CORPUS

Failing in This the Labor Leaders May Appeal Direct to the United States Supreme Court.

Washington, Nov. 16.—Samuel Gompers, John Mitchell and Frank Morrison, the labor leaders, under sentence for alleged contempt of court, will be compelled to return to Washington from Toronto, where they are attending the American Federation of Labor convention.

The labor leaders probably will sue out a writ of habeas corpus and should the judge refuse to discharge them, the next step will be an appeal to the United States Supreme court. By this means the alleged violation by the court of immunity from prosecution claimed to be guaranteed by the first amendment to the constitution, providing free speech and a free press, will be determined.

The mandate of the District Court of Appeals directing the execution of sentences probably will reach the District Supreme Court Saturday. The labor leaders will remain at liberty until Monday, when they are expected to voluntarily surrender.

May Have to Leave Convention. Toronto, Nov. 16.—Just as the convention of the American Federation of Labor was about to adjourn for the day yesterday a telegram was received from Washington announcing that the stay for the attorneys for President (Continued on page 2.)

CENTRAL AMERICANS' SQUABBLES GROW WORSE

State Department Apprehensive That Additional States Will Be Involved.

Washington, Nov. 16.—The situation in Central America shows no improvement and state department officials are apprehensive that before peace is established in Nicaragua other Central American states will become involved.

The department this afternoon received official report that President Zelaya of Nicaragua is recruiting and sending troops to the Cortina and Honduras frontier.

Sugar Trust Cases Are Considered by Cabinet

The Attorney General and the Secretary of the Treasury, Whose Departments are Affected Say the Investigation of the Frauds Has Just Begun.

Washington, Nov. 16.—The first cabinet meeting since the adjournment of the special session of congress last summer was held at the White House this morning.

The "sugar trust" situation in New York was under discussion of the greater part of the time of the members of the executive council table. Attorney General Wickersham and Secretary of the Treasury McVeigh, whose departments are directly concerned in the inquiry gave the president a detailed statement of the situation, explaining that a rigid investigation into the frauds had really just begun.

Mr. Taft became keenly alive to the situation as soon as he returned from his western and southern trip. It so happened that the extent of the frauds had just reached a climax. Since his conference with Mr. Wickersham there is no doubt about the vigorous attitude the present administration will take.

There will be no change in policy, but the administration will proceed quietly against all law-breaking combinations. Routine business affecting all the government departments, occupied the attention of the cabinet in the earlier part of the session. Each cabinet member reaching the executive offices brought a portfolio filled with official papers.

The president will be in Norfolk, Virginia, Friday next, the regular cabinet day.

LIPTON LEAVES FOR LIVERPOOL

Well Pleased With Visit to America and With Yachting Matters--An Expected Challenge.

New York, N. Y., Nov. 16.—Sir Thomas Lipton, who leaves tomorrow for Liverpool, is highly pleased regarding his visit to America, and the condition of yachting matters.

Lipton's visit has practically assured the international yacht race for America's cup in 1911.

Although no definite understanding was reached regarding the change of rules, it is understood, that negotiations with the New York Yacht club paved the way for the coming challenge of the Irish yachtsman.

DYNAMITE SHELL EXPLODED IN CRETAN DEPUTIES' HOUSE

Attributed to Political Faction, Whose Object Was to Break Up Other Crowd's Meeting.

Canea, Crete, Nov. 16.—A cylinder filled with a dynamite cartridge was exploded today in the hall of the chamber of deputies. The building was unoccupied.

The detonation threw the populace into a panic. The outrage is attributed to an assassination, whose object was the breaking up of a meeting supposed to be in progress for the formation of a new government.

STRICKEN WOMEN, WIVES OF ENTOMBED CHERRY, ILLS., MINERS, PLEADING FOR HOPE

WESTFELDT'S WIN IN SUPREME COURT

Highest Court in the Land Has Dismissed "Copper Mine Suit"—No Jurisdiction.

THIS MEANS MILLION DOLLAR CASE GOES BACK TO THE STATE COURTS

Circuit Court of Appeals Decision Was Final—History of the Noted Litigation.

A private message received here late yesterday afternoon from Washington brought the news that the Supreme court of the United States had handed down its opinion in the appeal of the noted "copper mine case" of the North Carolina Mining company against the Westfeldts; that the appeal was dismissed for lack of jurisdiction, the decision of the United States Circuit Court of Appeals being final.

This decision of the Supreme court simply means that the long legal fight between the North Carolina Mining company and the Westfeldts for possession of lands in Swain county containing copper deposits alleged to be worth a million dollars or more, will shortly swing back into the state courts of North Carolina and that Haywood County Superior court will be the next battleground.

Many Years in Courts. The suit over the copper deposit lands, commonly known as the "copper mine case," has been in the courts for several years and has already cost the litigants a small fortune. The suit was tried in Swain county, appealed to the Supreme court, and a new trial granted. It was removed to Haywood county; again tried in the state courts; again appealed and another new trial granted. The case was on the state court docket another time when the Mining company instituted suit in United States Circuit court; the case was tried before Judge Pritchard who assumed jurisdiction and forbade the Westfeldts proceeding further in the state courts. In the Superior courts the Westfeldts won. In the United States Circuit court the verdict was in favor of the Mining company. The Westfeldts appealed to the Circuit Court of Appeals at great cost and there the decision of the lower court was reversed, the court holding that Judge Pritchard was without jurisdiction. The Mining company sought an appeal to the Supreme court but the Circuit Court of Appeals held that the case was not appealable and refused to allow the appeal. Later Judge Goff made an order allowing the appeal and the case went on to the highest court in the land resulting in a decision yesterday by that court favorable to the Westfeldts.

HILL'S STILL HARPING ON "ECONOMY" THEME

Railway Magnate Says Public and Private Extravagance Causes Our Troubles.

Washington, Nov. 16.—James J. Hill, the railroad magnate, left the White House after a call upon President Taft, declaring that the cost and extravagant manner of living today is the greatest problem that faces the American people.

Economy on the part of the government and individuals as well, he said, was the only method he could suggest for remedying matters.

Driven to Suicide by Sorrow. New York, Nov. 16.—The loss of a son and nine employees in a recent disastrous fire is believed to have caused the suicide of Robert Morrison, found dead here. Death was caused by asphyxiation.

Special to The Gazette-News. Winston-Salem, Nov. 16.—Ten or twelve men, Italians and negroes, were entombed by an embankment caving in on the southside of Salem creek on the Southbound railroad at 9 o'clock this morning, and at noon five had been taken out dead. The work of rescuing the others is being rushed. None of them are supposed to be alive.

All of the men were operatives employed by H. J. Collier & Co. of Cleveland, Ohio, and Spartanburg, S. C., concrete contractors. When the cave in occurred the operatives were cutting out the embankment to install a concrete abutment for an immense steel trestle being constructed across Salem creek for the Southbound railroad.

The names of the dead could not be learned at this hour.

The Report Desired. Washington, Nov. 16.—It is reported that the victory of the Nicaraguan rebel troops, at Greyton, is denied by President Zelaya, in dispatches to his minister here. The rebel troops are reported in full retreat towards Bluefields.

New York, Nov. 16.—The control of the Western Union Telegraph company has passed to the American Telephone and Telegraph company, and a long step is thereby taken towards the merging of the telephone and telegraph companies into a corporation with a capitalization of nearly one billion dollars.

The announcement of the acquisition of the Western Union, known as a Gould property, by the American Telephone and Telegraph company came from Boston.

The acquisition of the Western Union and the recent absorption of various district Bell telephone companies in various parts of the country indicates a large increase in the present capitalization of the Western Union, the American Telephone and Telegraph company.

After Three Sleepless Nights of Terror, They Still Beg for Assurances the Officials Are Unable to Give.

THERE IS NO NECESSITY FOR CALLING OUT TROOPS

Cherry's Gloom Increased by Deluge of Rain—Heat in Mine's Depths Intense—Today's Pay Day.

CHERRY, ILLS., Nov. 16.—Dawn today brought increased anxiety to the families of the 300 miners still entombed in the St. Paul coal mine, as a result of Saturday's disaster.

Despite the belief expressed by state and government officials that there is little likelihood of many of the miners being brought out alive, scores of grief-stricken wives gathered about the mouth of the hoisting shaft, which late yesterday was sealed because of the renewal of the fire in the interior. Haggard and worn almost to exhaustion by the terror of three sleepless nights, the women approached the officials imploring some glimmer of hope.

"There is still a chance ain't there, mister?" pleaded dozens of women. "Don't say they are dead for certain." If the fire in the morning decided that the fire in the mine had been sufficiently smothered another descent of the rescuers down the shaft would be made soon. A number of water tanks brought from LaSalle this morning on flat cars, and run on a switch, are ready for use, the water to be poured into the pit.

Large supplies of extinguishing chemicals, among which were chemicals for producing carbonic acid gas, have been received. In the fire is still raging in the timber supports, it is proposed to bore a hole through the lid at the mouth of the shaft, and by means of iron pipes force gas to the bottom.

With smoke drifting into the remotest galleries of the mine for three days the men must certainly have been suffocated, according to mine officials. The burning away of timber supports against heavy caving scores to be buried by the caving in of walls, roofs and passage ways.

A Deluge of Rain. Although excitement prevails as a result of the disaster, there is no necessity for calling out the militia to preserve order. Cherry's gloom this morning was increased by a deluge of rain. The main shaft of the mine probably will not be opened. The temperature, taken at the top of the shaft in the burning mine, registered 108 degrees Fahrenheit. This was the wet surface, indicating that the fire below is intense. Today is semi-monthly payday at the mines. The clerks will keep a check on those appearing, and it is believed the number of the entombed can be definitely established. Nineteen thousand dollars is due the miners. The average semi-monthly wage drawn by the miners is from thirty to forty dollars. Many of the men are single.

Illness Does Not Need Help. Washington, Nov. 16.—Illness is able to care for the victims of the mining disaster at Cherry, Ills., according to information from National Director Bicknell, of the American Red Cross, now on the scene. Bicknell says the dead number 265; that 185 families, comprising 100 persons, need help. Governor Deneen has issued an appeal for contributions.

UNIFORMITY IN RAILROAD ADMINISTRATION THE KEYNOTE

Washington, Nov. 16.—Uniformity in matters pertaining to railroad administration is the keynote governing the work of the National Association of railway commissioners, which began its 21st annual convention this morning. The organization largely comprises officers of state commissions, charged with the administration of the intra-state commerce laws.

Dowager Empress' Body Interred. Peking, Nov. 16.—The body of the dowager empress of China, recently removed from the Forbidden City, was buried in the eastern tombs today.

Western Union Control Passes to A. T. and T. Co.

Long Step Is Taken Toward the Merging of the Telegraph and Telephone Companies Into Corporation with a Capitalization of Nearly One Billion Dollars.

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