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AN EXPLOSION LOCKS TWO HUNDRED IN THE DEPTHS OF THE EARTH

Twenty-Seven or Perhaps More Lives Blown Out by Fire Damp

ENTOMBED MAY BE FREED BEFORE NIGHT

One Hundred and Thirty-one Confined in a Lower Main of the Wingate Colliery, Signal That They Are Safe—Numbers of Others Who Were in the Mine at the Time of the Explosion Have Been Brought Up Alive, While Many Lifeless Bodies Also Have Been Drawn to the Surface.

(By the Associated Press.)

Durham, England, Oct. 15.—An explosion occurred in the Wingate colliery here at about midnight, resulting in some two hundred men being entombed. About one hundred of these are believed to be safe in a lower part of the colliery, but there were between sixty and eighty men in the seam where the disaster occurred. Up to 10 o'clock this morning ten bodies had been recovered and every effort was being made to ascertain the fate of the remainder. Up to 2 o'clock this afternoon twenty-four bodies had been recovered from the Wingate colliery and thirty miners had been brought out alive from one portion of the colliery, while forty-four were liberated from another. It is reported that the 131 men who, it is now announced, are confined in a lower main will be safely brought out before night. They have signalled that they are all right and are not considered to be in danger.

The total number of deaths from the explosion, which apparently was caused by fire damp, is twenty-seven.

CHARGE OF CONTEMPT

Answer of Sheriff Shipp Filed in Supreme Court

In the Case of the Lynching of Ed. Johnson the Supreme Court's Jurisdiction is Denied—Sheriff Says He's Not Guilty Anyway.

(By the Associated Press.)

Washington, Oct. 15.—In the supreme court of the United States today Hon. Judson Harmon filed the answer of Sheriff Shipp, of Hamilton county, Tenn., and nine deputies to the charge of contempt laid by the supreme court in connection with the lynching, in Chattanooga, last March, of a negro named Ed. Johnson, after the court had granted an appeal in his case. He takes the position that Johnson's case was not appealable and that therefore the supreme court was without jurisdiction, but that if the court had jurisdiction, Shipp and his subordinates were not guilty, as they exercised due diligence to prevent the lynching. Shipp was in the court room, but none of his deputies was present.

The seventeen other defendants in the case, charged with participation in the lynching, also filed their answers through attorneys denying the act charged and asking to be discharged from custody. None of the alleged lynchings was present in person.

The court took the matter under advisement.

CURFEW LAW TO PUT STOP TO ROWDYISM.

(By the Associated Press.)
Haverhill, Mass., Oct. 15.—In an effort to suppress recent acts of rowdyism, City Marshal McLaughlin today decided to enforce the "curfew" law which was adopted many years ago and has since been allowed to lie idle. Boys under twenty-one years of age who are found on the streets without good reason after 9 o'clock at night will be arrested.

FINAL TOUCHES ARE BEING LAID ON TODAY

Scenes on the Midway and in the Main Exhibition Hall

BLEACHER SEATS AT THE RACE TRACK

People Beginning to Pour in by Every Train Today—One of Biggest Crowds at Grounds Yesterday Ever Seen on a Sunday Before Fair—Estimated There Are From 400 to 450 Fakirs in the City—Special Police and Justice of the Peace on the Grounds.

The fair grounds present a very busy scene today. The final touches are being put on to the exhibits and shows and apparatus for the free open air attractions, and when the procession tomorrow morning reaches the famous enclosure just west of the A. & M. College the great state fair of 1906 will be ready to begin business at the old stand.

Governor Glenn will deliver the opening address from the same speaker's stand in front of the grandstand from which President Roosevelt spoke last year. The rostrum has stood there all the year and will probably remain permanently.

The crowd at the grounds yesterday afternoon was one of the largest ever seen there on a Sunday preceding fair week. It looked not unlike a Friday at the fair as far as the crowd was concerned. Of course nothing was open and there was no music. The management did not even allow any refreshments to be sold except to the people who are staying on the grounds, who have made tickets. Only such work as was absolutely necessary was permitted.

There was lots of fun for the young folks and some of the older ones, too, even if it was Sunday and nothing was doing in the show line.

At one time a crowd of bad boys perched themselves on the high bank surrounding the race track, overlooking the midway, and passed all sorts of remarks on the promenaders, especially the girls that passed under their eyes. Of course none of the girls flinched, because it was Sunday, and then too, Raleigh girls and those that are in Raleigh fair times don't do that sort of thing at all, not even on week days.

A large force of special police has been engaged for the week for constabulary services at the fair grounds, with a view to the protection of the fair's patrons. Deputy Sheriff C. M. Walters is in charge of this force. Mr. Walters' long experience with criminals makes him peculiarly fitted for this work. There is a night force, too, under A. H. Yearby, who has acted in this capacity before during fair week and has a fine record.

This morning Justice of the Peace C. A. Separk went out to the grounds and established his office there for the week so that in case of any arrests by the special police there may be preliminary hearings at once without the necessity of carrying persons arrested to the city.

Up to this writing no trouble of any kind has been reported. Everything moved smoothly yesterday and this morning. The only instance of any disorderly conduct heard of was a little colored boy yesterday afternoon who was heard by Treasurer Claude R. Demson of the state fair association using foul language and had put off the grounds at once.

One of the greatest improvements this year in the line of providing comfort to the crowds is the erection of bleacher seats around the near end of the race track. There are enough of these seats to accommodate as many people as the grandstand itself.

There will be a change of the admission to the grandstand on Wednesday, Thursday and Friday, but the bleachers mentioned will be free.

Visitors are pouring into the city by all the trains today. The weather is perfect, and altogether the outlook is splendid.

It is estimated that there are something like four hundred and fifty fakirs of all kinds in the city today. The scene here is about seventy-five from Bloomsburg, Pa., last night, over one hundred from Hagerstown Sunday morning, about one hundred last night with Ferri's animal show, about fifty from Richmond Saturday night, about one hundred with the Smith Carnival company that got in the middle of last week.

Then the Southern Railway brought in a number from Greensboro and a few other points.

Several shows of the Hoochee Cochee variety came, but were not allowed permission to set up their tents on the grounds and left yesterday morning for Lexington, S. C., near Columbia, and probably about fifty with gambling devices, all of which are barred this year will leave tonight for Charlotte.

At the union station and at the fair grounds the track of the shuttle train (Continued on Page Three.)

NEGRO KILLED BY STREET CAR

Jordan Chaves Forgot There Was Double Track

HIS SKULL FRACTURED

Died Within Half Hour—Was in Hurry to Reach Stable—Jumped Off Moving Car and Ran Back of It to Cross and Met Another Car, Jordan Chaves, a negro who drives.

Jordan Chaves, a negro who drives a street car, was killed yesterday about 6 o'clock by being struck by a street car at the corner of Hillsboro and Dawson streets.

Chaves was on a car moving toward the state house, and asked the conductor to let him off at Dawson street. The conductor says that "a negro jumped off without waiting for the car to stop, and ran around behind the car, evidently forgetting that there was a double track. There was a westbound car passing at the time and Chaves ran into it. His head struck the car and he fell. His clothing caught and he was dragged some distance before the car could be stopped.

When picked up, the negro was unconscious and was carried by Dr. Rogers to the hospital, where he died within a half hour. The injury which evidently caused death was a fracture of the skull just at the base of the brain, received most probably in the fall. There were also several fractures of the forehead on the forehead and just above the eye. These were probably inflicted by his collision with the passing car as he flashed around back of the car from which he had just jumped.

Chaves had said he was in a great hurry to get off the car and get to the stables down on Dawson street to feed his horses. It is supposed that this accounts for his jumping off the car before it stopped and running back of the car and across the street. He evidently lost sight of the fact that there was a double track.

The remains of Chaves were turned over to Strickland, the undertaker, by whom the funeral was conducted this afternoon. He was about 35 years old and was a highly respected and industrious negro.

FOR ADAMS AND SAWYER DEATH

Roosevelt Refuses to Com- muted the Sentence

CONVICTED OF MUTINY

These Are the Negroes Who Together With a Third Named Scott Murdered the Captain, Mate, Steward and Engineer of the Steamer Berwind.

(By the Associated Press.)

Washington, Oct. 15.—The president has refused to commute the sentences of death imposed on Arthur Adams and Robert Sawyer, two North Carolina negroes convicted of murdering Captain Rummel, the mate, the steward and the engineer of the steamer Berwind, on the morning of October 12, 1905, on the high seas while the vessel was on her way from Philadelphia.

Scott, a negro who was a member of the crew already has been hanged for his participation in the crime.

HARD STRUGGLE TO BREAK WILL

Weightman's Estate Valued at Sixty Millions

LEFT ALL TO DAUGHTER

Suit to Set Aside the Will Brought by Weightman's Daughter-in-Law. Some Evidence Given in Hearing Makes the Hearers Sit Up and Stare.

(By the Associated Press.)

Philadelphia, Pa., Oct. 15.—The great contest inaugurated to have declared invalid the will of William Weightman, the millionaire chemist who died, leaving an estate valued at about \$60,000,000 was called for a hearing today before Judge Jehman in the orphans court.

William Weightman was the founder of the Powers & Weightman firm of chemists, which since his death has become the Powers-Weightman-Rosenkranz Company. He was known to have acquired a vast fortune and when he died the public generally was surprised to find that it was left entirely to his daughter, Mrs. Anne Weightman Walker.

The suit to set aside the will was instituted by Mrs. Jones Wister, who was a daughter-in-law of Mr. Weightman, but who remained at the death of her husband, John Weightman, Mrs. Wister on behalf of her minor daughter, Martha Weightman, seeks to prove that Mr. Weightman left a codicil to his will amply providing for his grand-daughter and the other heirs to the estate. Mrs. Walker denies that any such codicil exists and says the will probated was her father's last and full expression of his desires in the matter.

An Interesting Story.

If the will is broken, five granddaughters and a grandson of Mr. Weightman will be benefited. The case has attracted considerable attention because of the social prominence of those concerned. A sensation was created by Mrs. Wister's declaration that Mr. Weightman, who was past eighty years of age when he died, made a proposal of marriage to her after the death of her husband, but that she rejected him and married Mr. Wister. The contest has caused the family to split into factions. One of Mrs. Wister's daughters, Mrs. Richard Wain Mells, formerly Miss Annie W. Weightman, openly sided with her aunt. She will probably be a witness in Mrs. Walker's behalf.

The first witness called by the contestant was A. W. Hoopes, 75 years old, who was manager of accounts and credits for Powers & Weightman, of which concern Mr. Weightman was sole member. At first he was an unwilling witness and was threatened with contempt of court for refusing to answer certain questions. He had been a witness to the will, and Mr. Simpson asked him what sums of money he had received from Mrs. Walker after the death of her father. His first answer was that he received his salary up to the time the firm was taken over by another company. Then he admitted receiving \$20 for each year he was with the firm, or a total of \$860. Other employees received gifts at the same rate.

Big Gifts From Mrs. Walker.
Following this, after much coaxing by attorneys, he admitted receiving a present of \$5,000 from Mrs. Walker.

"What else did you get?" asked Mr. Simpson.

"That is a private matter," he replied. At this juncture the witness was threatened with contempt of court for evading answers.

Finally the judge informed him that he was in the hands of the court and he was instructed to answer.

"Mr. Hoopes thereupon said: 'I received from Mrs. Walker \$100,000.' This answer caused a sensation and much loud conversation ensued. After quiet had been restored the witness said he received the \$100,000 about December 27, 1904.

Having established the fact that he had received gifts from Mrs. Walker, the lawyers examined the witness regarding the circumstances of the signing of the last will of Mr. Weightman on August 1, 1905. He had witnessed the signing of two other papers prior to the signing of the last will. These he believed were a will and codicil but he was not sure.

When court reconvened at 2 p. m. the case, on motion of attorneys for Mrs. Wister, was postponed.

This action caused surprise and there was a rumor that there had been a compromise. Attorney General Carson for Mrs. Walker, denied this emphatically.

The case cannot come up again for some weeks.

The withdrawal of the case caused great grief in the Walker camp. Mrs. Wister and her attorneys disappeared immediately and no explanation was given of the sudden change of front.

BALL CHAMPIONSHIP OF WORLD LAURELS BROWS OF AMERICANS

TWO MERCHANTS IN ENCOUNTER

S. C. Pool and Herbert Rosenthal Fight

IN COURT TOMORROW

Mr. Rosenthal Pushed Mr. Pool Down on One Knee—Treatable Arose Over Mr. Rosenthal's Refusal to Remove Letter in His Window Regarding Vacating the Store.

This morning about ten o'clock there was a personal encounter between Messrs. S. C. Pool and Herbert Rosenthal on Fayetteville street in front of Mr. Rosenthal's shoe store, which is next door to the shoe store of Mr. Pool.

No serious injury resulted to either party, other than a slight abrasion on Mr. Pool's knee.

The trouble arose from a copy of a letter posted in Mr. Rosenthal's window.

The store occupied by Mr. Pool is part of the Rosenthal estate, and it appears that Mr. Pool has been unable to secure a renewal of his lease and has been advertising that he is selling out on account of being obliged to move.

The inference Mr. Pool drew from the letter posted in Mr. Rosenthal's window was that it gave the impression that he was not obliged to move. He therefore requested Mr. Rosenthal to remove the letter. This Mr. Rosenthal refused to do. Upon Mr. Pool advancing toward him, Mr. Rosenthal grabbed him by the coat lapel and pushed him to the ground on his knees.

The affair was reported to Police Justice Badger, and he set the hearing for noon today, but at that time it was agreed to postpone it until tomorrow at twelve o'clock.

A reporter for The Evening Times called on both gentlemen for statements.

Herbert Rosenthal said:

"Mr. Pool called me out of my store this morning and requested that I remove from my window the letter from the trustees of the Rosenthal estate, explaining that the property would be divided about the first of January. I refused to do so, when Mr. Pool advanced on me and I pushed him down."

Mr. Pool said:

"Mr. Rosenthal had made threats that he was going to take the store now occupied by myself, and I had gone to see the trustees of the estate and also Mr. Rosenthal about my obtaining another lease, but could not get any promise of it on account of the division of the property to be made about January 1st. The letter in Mr. Rosenthal's window seemed to show that I had a chance to obtain a lease on the store, which I did not have, and upon my going to him and asking him to remove same from the window he refused, and I took a step or two toward him, when he pushed me down. I had no intention of striking Mr. Rosenthal when I advanced toward him."

THOUSAND BALES OF COTTON BURNED.

(By the Associated Press.)

Greensboro, Ala., Oct. 15.—The Greensboro warehouse, containing more than a thousand bales of cotton burned today.

Loss \$100,000, partially covered by insurance.

GOVERNOR GLENN WILL
RETURN TOMORROW.

Governor Glenn made campaign speeches at China Grove this afternoon and will speak at Salisbury tonight, returning to Raleigh tomorrow morning to deliver the address for the opening of the state fair. He will resume his work in the campaign on the day following.

Fourth Victory of the League Team in the Sixth of the Series

DEFEAT NATIONALS BY EIGHT TO THREE

Amidst a Scene of Almost Indescribable Enthusiasm, Charles W. Murphy, President of the Losing Team, When Called on for a Speech, Declares That the Best Team Won and Himself Leads the Cheering for Comiskey, Chief of the Victorious Americans—Two Pastors in Chicago Pulpits Take Baseball as a Topic for Their Sermons.

(By the Associated Press.)

Chicago, Oct. 15.—The Chicago American League team yesterday, before 20,000 enthusiastic fans, won the baseball championship of the world by defeating the Nationals 8 to 3. The game was sixth of the series and the fourth victory for the Americans.

When the last National batsman had gone out and the stunning fact that new champions had been freshly created burned its impress on thousands of excited minds, and a crowd surged around the box, wherein sat Charles W. Murphy, president of the losing club, he smiled gamely at the request for a speech, and said:

"The best team won. They won because they played the better ball. Too much praise cannot be given to President Comiskey and Captain Jones, and the team which by unprecedented pluck, climbed in mid-season from seventh place to the top of their own league, and then topped off that great accomplishment by winning the world's championship from the team that made a runaway race of the National League contest. I call for three cheers for Comiskey and his great team."

Cheer after cheer followed this speech, but they were lost to the hearing of most of the crowd which was busily cheering other things—the individual players, the players collectively, and thumping said players on the back with such enthusiasm that every one of them had to fight a way out to the waiting carriages. And cheers for the losers were not lacking. They had lost the greatest distinction which baseball offers to its votaries, but are still a great team, and the crowd which followed their carriages through crowded blocks did not spare their throats in saying so.

Comiskey's round, rosy face was wreathed in smiles long before the game was over, for the Americans put the victory in storage in the first two innings. Score:
Americans . . . 3 4 0 0 0 0 1 . . . 8 14 3
Nationals . . . 1 0 0 0 1 0 0 1 . . . 3 7 0
Batteries: Americans, White and Sullivan; Nationals, Brown, Overall and Kling. Umpires, O'Loughlin and Johnstone.

MINISTERS PREACH ON AMERICAN SPORT.

(By the Associated Press.)

Chicago, Oct. 15.—Two pastors used the championship baseball series as a topic for pulpit discourses last night. Both agreed that the game is the cleanest of all sports, but they deplored the fact that gambling was permitted on the grounds and that one of the contests was played on Sunday. They appealed to the managers to take a stand against these two evils in the future.

Rev. Johnston Myers preached on "A Home Run" at Immanuel Baptist Church and declared among other things, that "if the same spirit which sets men wild at such baseball games as have been witnessed the last week in Chicago were manifested in the church there would not be a skeptic left in Chicago."

"Winning the pennant" was the subject chosen by Rev. John Roach Stratton, pastor of Second Baptist Church. "Baseball is the greatest, grandest and noblest of all sports," he said. "It is clean, manly and safe. There are but two strong criticisms that the best elements of a community ought to make on the game. First, the amount of gambling attendant on the big league games.

"The second criticism that of the almost general custom of playing the game on the Sabbath."