

MINERS MURDERED

By Deputy Sheriffs Near Hazleton, Pa.

20 KILLED, 40 WOUNDED

MINERS TOPPLED AND FELL AND OTHERS STAMPEDED.

Miners Say They Were Going Along the Public Road and Were Molesting No One When Fired Upon, Which Continued After They Run.

Hazleton, Pa., Sept. 11.—The strike situation reached a terrible crisis on the outskirts of Latimer this afternoon, when a band of deputy sheriffs fired into an infuriated mob of miners. The men fell like so many sheep, and the excitement since has been so intense that no accurate figure of the dead and wounded can be obtained. Reports run from fifteen to twenty odd killed, and forty or more wounded. Many of these will die. One man who reached the scene to-night counted thirteen corpses. Four others died in the mountains between Latimer and Hazleton. Those who were not injured, carried their dead and wounded friends to the woods, and estimate is believed. A number of persons were killed and wounded.

The strikers left Hazleton at 3:30 o'clock this afternoon, announcing their intention of going to Latimer. As soon as this became known, a band of deputies was loaded on a trolley car, and sent whirling across the mountain to where the bloody conflict followed. After reaching Latimer, they left the car and formed into three companies, under Thomas Hall, E. A. Hess and S. R. Price. They drew up in line at the edge of the village with a fence and a line of houses in their rear.

Sheriff Martin was in command, and stood in the front of the line until the strikers approached. They were seen coming across the ridge, and Martin went out to meet them.

The men drew up sullenly and listened in silence until he had once more read the riot act. This finished, a low muttering arose among the foreigners, and there was a slight movement forward. Perceiving this, the sheriff stepped forward toward them, and in a determined tone, forbade the advance. Some one struck the sheriff, and the next moment there was a command to the deputies to fire. The guns of the deputies instantly belched forth a terrible volley. The strikers were taken by surprise, and as the men toppled and fell over each other, those who remained unharmed stampeded. The men went down before the storm of bullets like ten pins, and the groans of the dying and wounded filled the air. The excitement that followed was simply indescribable. The deputies seemed to be terror stricken at the deadly execution of their guns, and seeing the living strikers fleeing and the others dropping to the earth, they went to the aid of the unfortunates whom they had brought down.

The people of Latimer rushed to the scene, but the shrieks of the wounded drowned the cries of the sympathizing and half crazed inhabitants. A reporter who soon afterwards reached the place, found the road leading to Latimer filled with groups of frightened Hungarians. Some surrounded dying companions, and others fearful of pursuit, clung to the new comer and begged his protection.

Base Ball Yesterday.

At Washington: 00400213x-9121
Cleveland, 100000307-4128

At Philadelphia:
Philadelphia, 00100500-683
Chicago, 50002010-8124

At Brooklyn:
Brooklyn, 20210024x-12121
Cincinnati, 000013000-4128

At New York:
New York, 000020000-2101
Pittsburg, 020000000-250

At Boston:
Boston, 200004013-10133
St. Louis, 202500000-9128

At Baltimore:
Baltimore, 1030011-6101
Louisville, 0001211-583

Fair Marshals.

Col. P. H. Lybrook, chief marshal at the coming State Fair, will have his headquarters at the Park hotel. Thirty-four gentlemen have accepted the appointment as assistant marshals, and there will probably be seventy-five. Twelve will come from Winston and bring their own horses.

THE AUCTIONEER CASE.

Case Argued and Submitted to Justice Roberts—The Judgment.

This was a criminal prosecution upon the complaint of Geo. L. Tonnoffski under section 38, chapter 168, Laws of 1897, known as the Revenue Act, and charging "at at and in Wake county, Raleigh township, on or about the 23d day of August, 1897, Zach T. Broughton did unlawfully and wilfully exercise the trade and business of an auctioneer, by selling goods, wares and merchandise by auction, without giving bonds and paying the tax as required by law, and taking out the auctioneer's license required by law, contrary," etc.

The Revenue Act, section 38, provides: "Every person who shall practice any trade or profession, or use any franchise taxed by the laws of North Carolina, without having paid the tax and having obtained a license as required in this act shall be deemed guilty of a misdemeanor, and punished by fine or imprisonment, and shall also forfeit and pay a penalty of \$50, to be collected by the sheriff by civil action before a justice of the peace."

Section 39 of the same act provides: "Every auctioneer upon all goods, wares or merchandise sold by himself or agents, whether by ascending or descending bids or at public outcry, shall pay an annual tax of \$10, and one fourth of one per centum on the gross amount of his sales, subject to all the regulations and exceptions set forth in chapter three, volume 2, of The Code of North Carolina."

The regulations of chapter 3, volume 2, of The Code are that any citizen desiring to exercise the business of an auctioneer shall make application to the county commissioners file a bond not less than \$500 conditioned for the faithful performance of all the duties required of an auctioneer, and when this is done the sheriff shall issue such citizen a license as an auctioneer for 12 months.

2d. Auctioneers so licensed shall, at stated times, to-wit: On the first days of October and April, render to the clerk of Superior court, a true and particular account in writing of all the moneys made liable to duty by law and to pay to the persons entitled thereto, the money received on the sales by them made.

3rd. If any person shall exercise the trade or business of an auctioneer, not having been appointed pursuant to this chapter, he shall be liable to a \$300 civil penalty.

4th. The auctioneer's fees shall be regulated by agreement not to exceed two and one-half per centum on amount of sales.

The exemptions under this chapter reads:

"Nothing in this chapter shall extend to any sale by auction of goods, wares and merchandise, made pursuant to and in execution of, any decree, order, or judgment of the courts of the United States or of this State, or made in consequence of any assignment of property and estate for the benefit of creditors; or made by executors, administrators, collectors or guardians; or made pursuant to any law touching the collection of any tax or duty, or sale of wrecked goods, or to any article the product of the agriculture of this State, in its natural or unmanufactured state; or to any species of stock or domestic animals; or to any articles of household furniture, or farming utensil which have been in use."

The case under consideration was submitted to this court upon the following admitted facts and argument of counsel thereon:

"That J. M. Broughton & Co. are the agents of Messrs. Barringer, non-resident, owners of the Central Hotel, in Raleigh, and its furniture; that as such agents they were directed to sell at private or public sale the furniture belonging to their principal; that a portion of such furniture was sold at public sale and defendant did on the day named in the complaint cry the said furniture at public auction; that defendant has not applied to the county commissioners for appointment as auctioneer, nor has he filed any bond or paid the license tax and obtained an auctioneer's license.

Counsel for prosecution contend the exemptions of chapter 3, volume 2, of The Code, only apply to the one-fourth of one per centum duty tax, that defendant should have given bond, paid the \$10 license tax and obtained a license before he could sell at public outcry as an auctioneer, and therefore the defendant is guilty.

Defendant contends that the exemptions apply to every regulation, requirement and tax imposed on auctioneers, and therefore the defendant is not guilty as charged in the complaint.

After carefully considering the complaint, admitted facts and argument of counsel this court can see no way of determining this case other than upon a

THIRTY KILLED IN A RAILROAD WRECK

One Hundred and Eighty-Five Taken Out Seriously Injured.

CONDUCTOR TRIED TO STEAL A STATION

40-MILE EXPRESS MEETS A 30-MILE STOCK TRAIN--CARS TOTALLY DEMOLISHED, AND IN FLAMES--TRACK TORN UP FOR RODS.

Conductor Has Been Arrested--Impossible to More Than Estimate the Loss of Life. Many of the Unfortunates Will Never be Known--Two Wreck Was Caused by Head-End Collision.

New Castle, Col., Sept. 10.—The worst wreck in the history of Colorado occurred at 12:25 this morning on the Denver and Rio Grande and the Colorado Midland railways, one and a half miles west of here. After twelve hours' work it is impossible to more than estimate the loss of life and not even those known to be dead have been identified. Many of the unfortunates will never be known, and it is possible that the number killed will always be in doubt. From the best information fully thirty persons are believed to have perished, while 185 were taken out of the wreck suffering from serious injuries.

The wreck was caused by a head-end collision between a Denver and Rio Grande passenger train running at the rate of forty miles an hour and a special Colorado Midland stock train running at thirty miles. So terrific was the concussion that both engines, baggage and express cars, smoker and day coaches and two stock cars were totally demolished and the track torn up for rods in both directions. To add to the horror of the scene, the wreck caught fire from an explosion of a pintch gas tank on the passenger train and burned so rapidly that many passengers pinned beneath the debris were burned to death before help could reach them.

The most generally accepted theory as to the cause of the wreck seems to be

literal construction of the law as this court conscientiously understands the same.

In arriving at a conclusion I have seen my way clear, in the absence of any ruling by a higher court, by taking sections 32 and 38, of chapter 168, laws 1897, together with the whole of chapter 3, volume 2, of the Code, as the law and applying them to the complaint and the facts.

The complaint charges defendant with "selling goods, wares and merchandise, by auction." This is not supported by the admitted facts.

But it is admitted that defendant did sell "furniture which had been in use," and subject to all the regulations and exemptions of chapter 3, volume 2, of the Code.

In arriving at judgment, I have taken the meaning of section 2284, chapter 3, volume 2, of The Code to be what the words convey to the ordinary mind, and thus construe the same, and I have endeavored to do so impartially.

With this view of the case as argued, this Court cannot find that strong presumption of probable cause of an unlawful and wilful violation of the law which would call upon me to hold defendant to the Supreme Court.

Therefore, it is adjudged that the defendant is not guilty as charged in the complaint, and he is discharged from his recognizance and custody under this warrant, and this action is dismissed without costs.

J. C. L. Harris, Esq., appeared for the prosecution and W. N. Jones, Esq., for Mr. Broughton.

Chas. Frohman's "Sowing the Wind" Monday Night.

In the characters of Rosamond in Sowing the Wind, we get a hint of what the woman of the twentieth century will be—strong in self-reliance, proud because the harness of her soul has been lifted, armoured not with innocence, but in the knowledge of evil. A woman of singular character and beauty; a woman of impulse and sentiment of strong emotion and deep sympathy; a woman of passion, rebellious when the affection of her heart is threatened, and writhing under the injustice that would take from her a lover of whom she feels is more than worthy; a living, glowing woman of the highest intellectuality, yet virtue incarnate, and the embodiment of every womanly dignity. Sowing the Wind, with a cast unsurpassed, will be the attraction at the Metropolitan Opera House Monday night.

Plenty bananas at Daght's.

THE GOSPEL TEMPERANCE WAGON.

Dick Morse Will Begin a Series of His Discourses Here.

Dick Morse and his Gospel Temperance wagon are here, his organ preceded him a few days ago, of which note was made in The Times—it was the strange instrument that caused so much comment. He says:

"The Gospel Temperance wagon's mission is to help destroy the works of the devil and get every child to go to Sunday school and learn how to accept Christ and live a Christian life, and all grown people to accept Christ and go to church and live a Christian life, so that all will shun hell and gain heaven.

"If you wish to take stock in the wagon and help it accomplish its mission, you can do so in any way you wish. I will thank you and believe God will bless you. If you cannot give money give what you can, your prayers and influence."

Mr. Morse claims to have been grossly misrepresented. He has been charged as being a Mormon, which he declares is untrue.

We append a letter from Rev. John F. Butts, now of Charlotte, and who at one time was pastor of Brooklyn church, this city.

"No. 500 South Church Street, Charlotte, North Carolina.

"Bro. Richard Morse, a truly converted and regenerated man; when in sin he was a servant of the master he served, but for the last ten or twelve years he has been a true servant of God. I do not suppose there is a man in this community, who, for a single moment, doubts his full consecration to God and his cause. The Bible is his book of study, and he has learned it well so as to be able to practice and declaim its truths, so that a child can understand his teachings. He is plain in his words and though some might suppose him a little rough, yet his heart is full of love for his fellow-man; he has done at great deal of good, has made much sacrifice, with no compensation, they would amount to anything, no truer man than he, lives. I commend him to the love and good will of all, and will esteem it as a special favor to me in anything you may do for him in his unselfish labors of love in the work in which he is engaged in his Gospel wagon.

"JNO. F. BUTTS, Pastor Epworth M. E. Church."

Mr. Morse carries a stereopticon and illustrates his lectures. Mr. Morse paraded the streets to-day in his gospel wagon, drawn by two white horses. His organ was attached to the rear of the wagon, and discoursed music on the route. To-night he will hold forth on the vacant lot between the court house and the government building.

The Fire Last Night.

An alarm of fire was sent in from box 23 last evening about 8 o'clock. The fire proved an insignificant affair. The chimney to the kitchen of the residence of Mrs. Williams, corner Fayetteville and Davis streets. The Rescue Company, whose quarters are near at hand, was notified before the alarm was turned in, and had extinguished the fire before the other companies arrived. During the rush of people and hose wagons in front of the Pullen building, a horse held by a small colored boy became frightened, and in his dash threw the boy between the wheels of the buggy. The boy yelled lustily, but came out unhurt.

The Widow Goldstein.

The Widow Goldstein at the Academy last night was deserving of a better house. It was a good up-to-date show, and kept the audience bubbling over with merriment. Harry Rogers as Sam Goldstein was the life of the play, and enacted his part to perfection. He exhibited the shrewd business tact of the Jew, coupled with lavish generosity when the occasion demanded. We wish the company success, and regret that Raleigh did not give them a better reception.

Clifton, Scarborough & Co.

We call attention to the advertisement of Messrs. Clifton, Scarborough & Co. in this issue. The firm is composed of Messrs. J. H. Clifton, E. F. Scarborough and E. J. Wicker. They are all three practical printers and know how to execute work in the neatest possible manner. We advise our patrons to see them before placing their orders for their fall trade.

State Museum.

Curator Brimley is busy moving furniture, etc., into the new wing of the State Museum. We venture to assert that no Southern State can equal North Carolina's exhibit of resources which is to be found in this place.

WILL GO TO THE PEN

Milam Gets Three Years' Sentence.

HE EMBEZZLED \$1,444

HE WAS TRUSTED CLERK OF S. A. L. TICKET OFFICE AT CHARLOTTE.

He Began to Deal in Futures and This Was the Secret of His Downfall--He Will Now Have Some Time to Spend in Prison for Misappropriating Money.

The Charlotte News of yesterday says: The case of John L. Milam for embezzling \$1,444.44, the property of the Seaboard Air Line, was called in the criminal court this morning. Milam is represented by Col. Ham C. Jones and the State by Solicitor Webb.

Milam was at the time the theft was committed chief clerk in the Seaboard's city ticket office. He began to deal in futures, and this was the secret of his downfall. He mysteriously disappeared the evening of August 2d, and nothing was heard of him until he was arrested at Morristown, Tenn. He came back to Charlotte without requisition papers, and has since been confined in the county jail.

The case has attracted considerable attention, both here and in other cities where Milam has resided.

Milam is a man of family is about fifty years old. He has held several prominent positions with different roads in the south, and is considered one of the best of ticket agents.

Mr. W. H. Ramseur, city ticket agent of the Seaboard, Auditor R. A. Cole, T. J. Anderson, and Messrs. Bishop and Sherwood of the Seaboard, have been examined. They all testified as to the amount of shortage.

Mr. Amber, of the Southern Express Company, testified as to the express receipt that is alleged to have been forged.

Mr. Gilber, representing the bond company of Baltimore, was also put on the stand and questioned regarding the surety bond that Milam held for \$3,000 in his company.

At 1:30 o'clock, the court took a recess until 3 o'clock.

Court convened at 3 o'clock. Colonel Jones, counsel for the defense, entered a plea of submission and the court sentenced him to three years in the penitentiary. Many consider that the prisoner got off light, while others think the opposite.

Revival Services at Central Church.

The public are cordially invited to attend the revival services which begin in Central Methodist church to-morrow. At the morning hour Pastor Glenn's subject will be "The New Birth," and in the evening he will discuss "The Conditions of Salvation."

These sermons will be of peculiar interest, and it is expected that large congregations will hear them. The preparatory services which have been held for several evenings past, have been well attended and very beneficial to the church, and this is especially true of the one held by Dr. Daniel, of the Presbyterian church, last evening.

Col. John R. Lane.

Col. John R. Lane, of Oatham county, is in the city. He is the only survivor of the three commanders of famous Twenty-six North Carolina Regiment, which was successively under the leadership of Col. Z. B. Vance, Col. H. K. Burgwyn and himself. Col. Lane comes to inspect the group portrait painted by Randall to be placed in the State Library. Col. W. H. S. Burgwyn, a brother of Col. H. K. Burgwyn, was recently here to examine the last named officer's portrait in the group.

A Delightful Fall Outing.

West's excursion to Asheville next Tuesday, September 14th, offers our citizens a rare opportunity to visit Asheville. It gives two days in the city, thus affording ample time to visit all points of interest. The rate is very low, only \$3 for the round-trip. Reduced rates are offered at all hotels and boarding houses. Take a few days off for recreation and pleasure, and join this popular excursion.

At the Tabernacle.

At the Tabernacle to-morrow Rev. John E. White will preach at 11 a. m., and pastor Simms will preach at night. All are invited to attend the services.