

## TONOPAH SELECTED AS SITE FOR T. & G. SHOPS

### DE LARA WILL NOT BE DEPORTED TO MEXICO

(By Associated Press.)  
WASHINGTON, Nov. 15.—Miguel Lozano, a Cuban, was ordered deported, and L. Guterrez De Lara, the Mexican attorney and writer, was ordered released by Secretary Nagel of the department of commerce and labor today.

The two men have been under arrest at Los Angeles for several weeks as anarchists, and were held for deportation under the immigration laws. The two men were arrested at the same time on the charge of being alien anarchists.

It is said at the department that there appeared no question of the correctness of the charge against Lozano, because he distinctly confessed to being an anarchist and believing in the destruction of governments. De Lara denied the charge, insisting that he was a socialist, and in fact is well known as a writer along socialist lines.

De Lara's case attracted much attention as friends of De Lara said

### Railroad Company Will Rebuild on the Old Location--Two Carloads of Machinery, to be Used in Reconstruction of the Shops, Will Arrive in Tonopah Today.

### Railway Officials are Not Very Communicative Regarding Subject--The Decision Thought to be Result of Many Conferences.

The Tonopah and Goldfield railway shops will be rebuilt in Tonopah. After a month of hard work, during which time many rumors have been run down, a Bonanza representative yesterday secured information which conclusively brings out the fact that the railroad shops, which were destroyed by fire several months ago, would be erected on the old site, namely, in Tonopah. Where the information was secured, is neither here nor there, but the fact, which in a way confirms itself, is that today two carloads of machinery will arrive in Tonopah and said machinery is for the reconstruction of the shops.

The shipment is coming from the east and was ordered some time ago, the date we are unaware of, but surmise it must have been during the recent visit of President Cutter, or immediately on his return to Philadelphia.

Confirmation of the report could not be obtained and the railway officials, who happened to be in town, gave evasive answers to inquiries.

General Traffic Manager W. D. Forster of the road, was asked concerning the shops, but his replies were not responsive to the questions. Owing to Superintendent Hanlin being in Los Angeles, it was impossible to secure any information from this source.

The continual meetings of railroad representatives, first in this city and Goldfield, and then in Los Angeles, brought out the impression that there was something in the wind.

When President Austin, of the Tonopah Mining company, who is a director of the Tonopah and Goldfield road, visited Tonopah last month, he was asked concerning the gathering of the many notables. His response was that "they just happened to be here at the same time—a coincidence." About a week ago the clans met in Los Angeles and now it appears there is something else in the making.

General Traffic Manager Forster returned yesterday from southern California, where he attended the conference, and also from San Francisco, where he spent several days looking after business in connection with the local road.

Last night it was learned that Mr. Forster would leave on this morning's train for some point east and when asked the object of his journey and purpose of the trip, he stated that it was merely a vacation. The extremely short stay in Tonopah on his return from California and the speed with which he is making preparations, do not resemble the arrangements usually made when a vacation is in sight and a pleasure trip in view.

The return of Superintendent Hanlin will be anxiously awaited, to see if this gentleman is able to shed any additional light on the subject.

But we are sure of the fact that two carloads of machinery will arrive this morning and from this knowledge it is not hard to draw a conclusion relative to the rebuilding of the railway shops. The other subject which is in the wind, will no doubt be ready for publicity in a short time, and as a talkative railroad official is about as rare as an honest pawnbroker, we will have to bide our time.

### STREETS OF RENO, NEVADA QUIET

(Associated Press)  
CAIRO, Nov. 15.—The last of the outside companies of militia left Cairo today. Sheriff Davis and the local company are in charge, and no more immediate trouble is feared.

### TEN JURORS SECURED IN ALMA BELL CASE

(By Associated Press.)  
AUBURN, Nov. 15.—The tenth day of the trial of Alma Bell, for the murder of Joseph Armes, ended today with ten jurors in the box. A night session is being held in an effort to fill the box so the actual trial can proceed tomorrow.

Judge J. A. Saunders, who has been transacting legal business in Manhattan, returned from the northern camp yesterday.

### REPORTS OF COPPER MERGER ON EXCHANGE

(By Associated Press)  
NEW YORK, Nov. 15.—Reports regarding an impending merger or agreement among the great copper producers today sent prices to a new high record for the year. There were denials of the rumor that the merger had gone beyond the tentative stage, but it was generally admitted that certain interests were trying to bring about an agreement among the producers to regulate the output, and thereby prevent overproduction and consequent depreciation in values. The capitalization of the combine, according to the best reports, will probably be close to one billion dollars.

Carl Stoddard, one of the first surveyors and mining engineers to locate in Tonopah, and who is now connected with the state engineer's office, came down yesterday from Carson to attend the Tognini water trial, which will be heard in a few days.

### NO HOPE FOR RESCUE OF 300 ENTOMBED MINERS

#### Rescuers Penetrate Underground Workings of Mine but Fire Causes the Temporary Abandonment of Plans.

(Associated Press)  
CHERRY, Ills., Nov. 15.—The 300 miners entombed in the St. Paul mine by Saturday's disaster are all dead. Some of the bodies are buried beneath thousands of tons of earth, and it is doubtful if many will ever be recovered. This was the consensus of opinion tonight, when the attempts at rescue which have been carried on night and day for forty-eight hours, were temporarily abandoned. The fans, which were employed in an effort to carry fresh air to the imprisoned men, started the flames anew today, and soon the heat and smoke became so dense that it was necessary to again seal up the mouth of the hoisting shaft. It is possible that steam and chemicals, producing a carbonic acid gas, will be forced through pipes to the bottom of the mine tomorrow in an effort to stop the flames.

It was learned today that 300 coffins had been ordered, half to arrive tomorrow and the others the following day.

Rescuers descended four times today before the flames broke out again. Then a rumor was circulated that the entombed miners had been reached, and that the reason they were not brought to the surface was because they were exhausted for lack of food. "They're

alive!" "They're alive!" cried the hopeful mothers and wives. "They will be brought up pretty soon."

But the truth was far different. The rescuers on one occasion went down 300 feet to the bottom of the hoisting shaft and penetrated 1500 feet into the bottom gallery, but none of the miners, either dead or alive, were found. As was conjectured, the miners had crawled for safety to the most remote recesses of the mine, but to these parts the rescuers were unable to go.

As a result of the disaster, there are at least 1000 orphans and 200 widows. Some of the miners had families of eight children, who will be dependent upon charity for support.

### RECENT THEFT OF R. R. CASH BOOKS IS DISCOVERED

(By Associated Press)  
CINCINNATI, Nov. 15.—Charles Warriner, former treasurer of the Big Four railroad, was indicted on two counts by the grand jury today, the charges being grand larceny and embezzlement, to the amount of \$5000 on each count.

While \$643,000 is known to have been stolen, it developed today that the company's cash books prior to 1905 have disappeared and it will never be possible to tell the exact amount of the giant defalcation.

The indictments represent the latest known theft.

### SUPERIOR JUDGE HEAD OF BASEBALL LEAGUE

SAN FRANCISCO, Nov. 15.—Superior Judge Thomas F. Graham of this city, was elected president of the Pacific Coast Baseball League tonight.

## JAILED FOR CONTEMPT OF SUPREME COURT

(By Associated Press.)  
WASHINGTON, Nov. 15.—For the first time in American history, six men are in prison for contempt of the supreme court of the United States.

For the first time the federal government has placed men behind bars as the outcome of lynching a negro. At the United States jail here, Captain Joseph F. Shipp, the former sheriff of Chattanooga; Jeremiah Gibson, the jailer; Luther Williams, Nick Nolan, Henry Padgett and William Mayes, of the same city, this afternoon began to serve terms of imprisonment imposed a few hours before by the supreme court of the United States.

Shipp and Gibson were found guilty of failing to protect from a mob, Ed Johnson, whose legal execution for rape had been stayed by the supreme court, until that body could review the case. The others were found guilty of having participated in the lynching of a federal prisoner. Shipp, Williams and Nolan were sentenced to ninety days, and Gibson, Padgett and Mayes to sixty days.

This was the second time in the history of the supreme court of the United States that that august body had imposed a sentence upon citizens, held guilty of disregarding its mandates. The previous occasion was in another generation.

Heading the little group of six men, found guilty of contempt, as they took their places before the black-robed justices, was Captain Joseph H. Shipp, the sheriff in Chattanooga, Tenn., when he offended the court. His tall, straight fig-

### Failure to Protect Prisoner from Mob Causes Sheriff to be Imprisoned.

ure, his seamed face and his gray-streaked beard, told of his long service in the army of the confederacy.

Bowed under his 76 years, Jeremiah Gibson, the jailer, stood with him. With bedimmed eyes he looked upon the long white locks of the chief justice, himself 76 years of age, who would soon pronounce sentence upon him, perhaps send him to prison. He and Captain Shipp had been found guilty of failing to protect a negro, waiting to be hanged on a charge of a heinous crime against a white woman, after the supreme court of the United States had stayed his execution.

Luther Williams, Nick Nolan, William Mayes and Henry Padgett, residents of Chattanooga, found guilty of participation in the lynching of Ed Johnson, formed the rest of the group. Before them all sat the officials of the department of justice. Around about them in the little court room were their attorneys and other lawyers, while the three rows of seats for spectators were crowded.

The proceedings were practically without precedent. In 1875, John Chiles, a business man of Texas, was brought before the court for contempt in connection with dealings in Texas indemnity bonds, contrary to an order of the supreme court. He was fined \$250. But that instance lacked the interest of

the case today. In it were involved no race question, no lynching, no interference with state jurisdiction; only the majesty of the law as interpreted by the highest court of the land.

The case today originated in the court's decision in March, 1906, to consider the appeal of Johnson, from a verdict of the Tennessee courts holding him guilty and sentencing him to be hanged on a charge of assault. The night after the determination of the supreme court to review the proceedings was wired to Chattanooga, a mob was formed and stormed the jail, took the prisoner out, and lynched him.

The court was much incensed at the lynching, and at its instance the attorney general instituted proceedings against Sheriff Shipp, Jailer Gibson and twenty-five others supposed to have been implicated in the lynching, charging them with contempt. Many of the accused were exonerated, and in the end only six were found guilty.

The finding of the court was announced in May, just before the close of the last term of court, but all of the defendants entered motions for a rehearing, which had the effect of postponing action until this fall. On Nov. 1, rehearing was denied and the six men ordered before the court for sentence today.

In investigating the case, the supreme court found that Johnson was

removed from Chattanooga to Nashville before his trial, because of fear that he would be lynched. He was brought back for the legal execution. When the supreme court stayed the execution, the court has held: That Sheriff Shipp made no effort and gave no orders to have the deputies or others guard the jail, but left the night jailer, Gibson, there alone. That evening a white male prisoner was removed from the upper floor of the jail, leaving only Johnson and a white woman on that floor. The court pointed out that this same man had been removed in the same way at the time of the first attempt to lynch Johnson, which had been frustrated by the removal of the negro.

Shipp lived only a few blocks from the jail and when he was notified by the trial judge and the prosecuting attorney that a mob was at the jail, went there alone. Although for an hour in the midst of or near the mob, the court held that he did not seek to obtain information so that he could identify any of its members.

The court in finding Shipp guilty commented on a published interview alleged to have been had with Shipp. "The people of Hamilton county were willing to let the law take its course until it became known that the case would probably not be disposed of for four or five years by the supreme court of the United States," it quoted Shipp as saying. "But the people would not submit to this, and I do not wonder at it."

Chief Justice Fuller in pronouncing Shipp guilty said that this refer-

ence to "people" was significant, "for he was a candidate for reelection, and had been told that his saving the prisoner from the first attempt to mob him would cost him his place, and he answered that he wished the mob had got the 'nigger' before he did."

The court held that Gibson must have believed a mob would attack the jail the night Johnson was lynched, but although he was in charge of the jail more than two hours before its arrival, he made no effort to summon assistance to repel the attack. The testimony of Mrs. Baker, a white prisoner, to the effect that Gibson told her before the mob arrived that it was coming and for her to go to her cell, was referred to.

Williams and Nolan participated in the lynching, the court held, upon the strength of direct testimony to that effect. Statements made by Padgett and Mayes were held as evidence of their guilt.

### COURT DENIES STAY ASKED FOR BY LABOR LEADERS

#### Prison Walls Face Gompers and his Associates for Contempt of Court--Delegates to the Convention Dazed.

(By Associated Press)  
TORONTO, Nov. 15.—Just as the convention of the American Federation of Labor was about to adjourn for the day, a telegram was received from Washington announcing that the stay asked by the attorneys for Gompers, Mitchell and Morrison in the proceedings against them for contempt of court, had been denied by the court of appeals of the District of Columbia.

Gompers was plainly surprised as he read the message to the convention, and the delegates sat as though dazed.

"That means that the resources of the lawyers have been exhausted, doesn't it?" asked one of the delegates. "The chair isn't in a posi-

tion to state," replied the president. "Then as he read the message stating 'The mandate goes down Saturday morning,' the faces of himself and his fellow officers betrayed the anxiety under which they were laboring. A telegram signed by the three defendants was sent to their counsel at Washington, asking when it would be necessary for them to appear, to avoid forfeiting their bonds, amounting to \$12,000.

It was suggested that the convention adjourn to Washington in the event of the departure of Gompers, Mitchell and Morrison.

Many of the delegates expressed disapproval of the plan suggested by the central labor union of Philadelphia that a two weeks' general strike be ordered as a protest against the contempt imprisonment.

### OAKLAND VOTES BOND ISSUE FOR IMPROVEMENTS

OAKLAND, Nov. 15.—A bond issue for public improvements aggregating \$3,500,000 was authorized by the voters of Oakland at a special election held today. Of this amount, \$2,500,000 is for the improvement of the Oakland water front, \$1,150,000 for a new city hall, and \$80,000 for buildings for the police and fire departments.

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