

EXTRA

EL PASO HERALD

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NOEL MORGAN SWEARS HE DID NOT KILL WIMBER BOY IN PLAZA SEPT. 16

Verdict of Not Guilty Returned After Brief Delay—Witnesses Testify to Having Seen Morgan Stab Wimber and of Hearing the Two Boys Quarrel Prior to the Fight—Morgan Says He Never Had But One Quarrel in Life.

Noel Morgan, the 14-year-old boy charged with the murder of Lawrence Wimber, a schoolmate, was acquitted by a jury in the county court at 3:25 Tuesday afternoon. The jury was out only 20 minutes. The boy leaned on the shoulder of his attorney, Tom Lea, and a torrent of tears fell from his eyes. He later left the courtroom with his attorneys and his father. School boys in the courtroom applauded the verdict.

Answering every question as directly as it was put to him without any show of nervousness and apparently at all times at his ease, 14-year-old Noel Morgan took the stand in his own behalf in the county court Tuesday morning and denied that he killed Lawrence Wimber on Sept. 16 last in San Jacinto park. He said: "I did not curse anybody that morning and nobody cursed me. I started to run when I heard Joe Calamia say 'this is the boy that killed him' and make a grab at me. I was standing right at the edge of the curb in front of the St. Regis and there was nobody in front of me. I did not know Lawrence Wimber and I don't know who was behind me. I never had any trouble with any of the boys except John Williamson and we quarreled one day at school about half an apple. Robert Marston married up to the plaza with me the morning president Taft was here. "I did not stab Lawrence Wimber and I did not have a knife that morning. I did not know anyone had been killed and did not know what had happened

until Joe Calamia spoke and grabbed at me. Then I was scared and started to run. At first I had started toward the transfer station to see my teacher and get excused, because I wanted to go down to my father's store. The man never grabbed me until Joe Calamia said: 'There's the boy that killed him.' I never saw any boy running in front of me."

Father Testifies

Then George Morgan, father of the boy, testified that his son had no knife when he left the store that morning. "I had a knife which had been left there," he said, "and Noel wanted it, but I told him to wait a few days and if the owner did not come back he could have it. Then when I heard he was in trouble, I went to the police station and saw him and immediately went back to the store to see if that knife was still there. It was."

"I had told Noel to come back to the store as soon as he saw the president, (Continued on Last Page.)

GOVERNOR SLOAN HAS CLOSE CALL FOR LIFE

From the Ruins Of the Old Rises the New

TRAPPED IN BURNING HOTEL

Adams House at Phoenix Burns, the Total Loss Being Over \$100,000.

FRANK RICH THERE THE NIGHT BEFORE

Other Buildings Damaged Besides the Hotel—Entire City Is Threatened.

Phoenix, Ariz., May 17.—Gov. Richard E. Sloan, of Arizona, and Mrs. Sloan, had a close call for their lives here early this morning when the Adams hotel burned. They awakened in time to escape in night clothes on a rope.

No El Pasoans were in the building, but Frank Rich, manager of the El Paso theater, spent Sunday night there; he left Monday morning.

Besides the destruction of the Hotel Adams, the fire damaged a number of other buildings. For a time the city was threatened with destruction. The loss is estimated at \$100,000.

More than 100 guests in the hotel escaped by fire escapes, the flames spreading so rapidly that exit by the main stairway was cut off.

Gov. Sloan and wife were among those who reached the ground by means of a rope ladder.

It is reported that an invalid in one of the upper rooms could not be reached and perished.

TAFT'S LETTER PRESENTED TO THE COMMITTEE. Ballinger-Pinchot Investigators Receive Letter of Explanation From the President.

Washington, D. C., May 17.—President Taft's explanation of the circumstances under which his letter exonerating secretary Ballinger from the Glavis charges and dismissing Mr. Glavis was prepared, was presented by the chairman to the Ballinger-Pinchot committee when the hearing was resumed today. It will be printed as a part of the record of the committee.

Fred Dennett, commissioner of the general land office, continued under cross examination today.

\$5000 NEEDED TO ASSURE FAIR

If Merchants Subscribe That Sum, Total of \$22,000 Will Be Available.

THIS WILL INSURE SECOND EXPOSITION

Save the El Paso fair. With \$5000 in subscriptions the fair as an institution can be saved as El Paso's greatest medium for boosting the city and southwest. The committee of five, headed by C. N. Bassett, has subscribed \$10,000 for the fair fund. The avowed friends of the infant institution have subscribed \$7000 to the cause. It is now up to the patriotic people of El Paso who appreciate the good the fair has done and will do for the city and southwest to meet these subscriptions with the final \$5000 necessary to finance the fair project. The \$10,000 subscribed by the committee of five is conditional upon the securing of another \$12,000 which will eliminate the deficit of last year's fair and provides a nucleus for the 1910 fair. Of this amount the \$7000 has been subscribed by the merchants and business men who realize the fair and effort to be derived from a fair and exhibition after the successful one held last fall. If a sufficient number of the fair's (Continued on Page Four.)

TRUST IS HIT A BLOW BY MANAGERS

Country's Leading Theaters Will Hereafter Be "Open" to All Companies.

EL PASO HOUSE IN THE FIGHT

New York, N. Y., May 17.—The theatrical atmosphere is not cleared a bit. The house managers who bucked at striking the trust and passing up all but Klaw & Erlanger shows, have organized and swear that they will play anybody's attractions as long as they are first class. Klaw & Erlanger have organized several of the biggest producers and swear that they will book no houses open to the "independents," but inasmuch as the house managers seem to have the strongest organization, "the trust" may be forced to back down. L. M. Crawford is backing the trust again and has gone in with the other managers with his El Paso and Kansas Illinois houses. The Wells interests of Texas have also quit the trust. 75 House Owners Combine. Seventy-five of the most prominent theater owners of America have been holding daily sessions in New York to consider the advisability of taking their vast interests and circuit in their own (Continued on last page)



Cut shows the architect's drawings for the new 12-story Anson Mills building, for which a permit was secured from the city Monday. The building will cost \$300,000. The cut shows how the new building will tower above the four-story St. Regis hotel, the photo of the new building being on the same scale of the St. Regis; it also shows the old two-story Mills building which the new skyscraper is to replace; photograph taken just after the wreckers started work on the old structure.

U. S. ASKS FOR CHAMIZAL ARBITRATION

Washington, D. C., May 17.—The United States has suggested to Mexico that the boundary question involved in the celebrated Chamizal zone case at El Paso be submitted to some well known jurist of a mutually friendly power for arbitration. The question involved is whether the southern section of the city of El Paso, Texas, valued at several million dollars, belongs by right under the boundary treaty of the United States with Mexico to Mexico or to Texas.

HYDE MUST GO AT ONCE TO PRISON

If Motion for New Trial Is Overruled, He Will Be Sent to Pen.

Kansas City, Mo., May 17.—If Judge Lathaw overrules Dr. B. C. Hyde's motion for a new trial when it comes up this week, the physician will be sent to state's prison immediately. The court made this announcement today. "Of course," said Judge Lathaw, "this does not mean that I shall not grant the physician a new trial. If his attorneys show good cause for another hearing, they shall have it. But the law provides that a convicted man shall begin serving his sentence as soon as a motion for a new trial is denied."

BIG RAINS AND HAIL IN TEXAS

Fort Worth, Tex., May 17.—Reports this morning say that yesterday's rain continued last night and today over a wide territory, practically guaranteeing the best wheat crop the panhandle and plains country has had in years. Indications are for more rain today. The rain was accompanied by a hail in Parker county, badly damaging the cotton crop in the southern part of the county. The residence of J. M. Heath, of Buckner, was wrecked but none of the family injured.

DENVER IS VOTING ON WHISKY QUESTION

Denver, Colo., May 17.—Denver is today voting on the question of whether or not the city shall abolish saloons. The campaign of the wets and dries has been one of the hardest fought in the history of local politics, and an exceptionally heavy vote was reported during the morning. A new franchise for the water company, the initiative, referendum and recall and other questions are being settled.

RIVER IS ON THE RISE AGAIN

The Rio Grande continues its 0.1 of a foot rise. Sunday morning the government gage showed 14.2 feet; Monday morning it read 14.3 feet, and Sunday morning 14.4 feet were registered. Col. Lane received the following telegram today from Denver: "River will reach 14 and 8-10 feet on the El Paso gage by Thursday night and remain about that stage several days. "Brandenburg, "District Forecaster."

ABE MARTIN



The fellow that looks funny with his hat off is always the busiest individual at a convention or meeting of any sort. Al Clemens and his wife hev split up. His wife took all the furniture an' th' five children an' Al took th' blame.

CABINET TO ACT ON BUTTE DAM

R. F. Burges Returns From Washington—Holt Remains There.

"I sincerely hope that the Elephant Butte dam matter will be settled this week, though I cannot say," said Richard F. Burges, who returned from Washington Tuesday morning. Referring further to the all important project, Mr. Burges said: "I think that the dam is coming out all right whenever the president and cabinet sit on it and I believe the decision when reached, will be satisfactory and conclusive and we hope it will be reached at an early date. H. B. Holt remained in Washington and will stay until after the cabinet meeting."

MILITIA QUIETS STRIKE RIOTERS

Hannibal, Mo., May 17.—The arrival early today of four companies of militia and a heavy rainfall quieted the striking workmen at the plant of the Afton Portland Cement company at Iasco, where a riot was threatened yesterday. Fifteen hundred foreigners who threatened trouble, retired before the troops arrived. A guard has been placed around the buildings, which contain four cars of dynamite.

THIRTY-SIX CONVICTS BURN IN A STOCKADE

Centerville, Ala., May 17.—Thirty-six negro convicts lost their lives Monday when the stockade of the Red Feather Coal company at Lucilla was destroyed by fire started by one of the prisoners in an effort to escape. Thirty-five of the convicts were burned to death and another was shot by the guards. Among those burned was the negro who started the blaze.

The fire had gained such headway as to be beyond control when the guards and other men on the outside of the stockade discovered it. At the risk of their own lives they rushed into the burning building, freeing many of the convicts from their cells. The necessary division of their forces to guard the prisoners who were hurried outside, greatly hampered the rescue work.

The wood of which the stockade was built burned like tinder and in an hour after the flames were discovered, the spot was marked only by glowing embers and the bodies of the dead convicts.

Dr. W. A. Burns, state inspector of mines, said that the stockade was burned by three men who attempted some time ago to burn the place. Two of these were shot down by the guard. He said that it is believed most of the convicts were sleeping when the fire started.

TEXAS LANDS BISHOP IN METHODIST CHURCH

Asheville, N. C., May 17.—Rev. W. R. Lambuth, of Tennessee, and Rev. E. D. Mouson, of Texas, and Rev. W. G. Waterhouse, of Virginia, were elected bishops on the fourth ballot at the general conference of the M. E. church, south, today.

On the sixth ballot, Rev. J. H. McCoy, of Birmingham, Ala., was elected, filling the college of bishops.

LIVES AT GEORGETOWN. Rev. Dr. E. D. Mouson is of Georgetown, Tex. Mouson's election was accomplished yesterday, but the result of the ballot was not made public until this morning, when it was counted by the electors.

CONNECTED WITH COLLEGE. McKinley, Tex., May 17.—S. C. Mouson, of this place, received a telegram today from Asheville, saying that his son, Dr. E. D. Mouson, of the department of theology, of the Southwestern university, of Georgetown, Tex., was elected bishop by the general conference of the Methodist Episcopal church of the south. A brother, E. D. Mouson, is a business man here.

EARTHQUAKE VICTIMS MARRY BY HUNDREDS

Cartago, Costa Rica, May 17.—Two hundred surviving couples living in a haphazard manner following the earthquake were married today when formal sanction was given by proclamation ratifying the marriages issued by the national magistrate. The disaster caused peculiar conditions, making the women seek marriages as a protection. Some of the newly married were widows and widowers of a few hours.

BODY OF KING IS LYING IN STATE

London, England, May 17.—The body of King Edward VII, the pacemaker, was taken with stately pomp this morning from Buckingham palace on the first stage of its journey to the grave, and now lies in state in Westminster hall, where hundreds of thousands will pay tribute to the dead monarch before the final passage through the streets of the capital on Thursday. Mr. Roosevelt, special American ambassador to the funeral of King Edward, did not participate in today's ceremony. Mrs. Roosevelt, Ethel and Kermit and ambassadors Heid and Mrs. Heid witnessed the procession from a house on Carlton Terrace, but Mr. Roosevelt spent the morning answering correspondence. The procession escorting the body of the dead monarch passed through double lines of red coated soldiers, flanked with rows of policemen and a mass of silent black garbed humanity.