

CORONER'S JURY CHARGES CRIMINAL NEGLIGENCE

SUPERINTENDENT AND FIRE BOSS

ARE HELD RESPONSIBLE FOR PANAMA MINE DISASTER

In Verdict of Coroner's Jury Rendered Last Evening After Brief Deliberation.

THE VERDICT

"The victims of the Panama mine accident came to their death on the eleventh day of July, 1912, at the Panama Coal company mine, located just south of the city of Moundsville, by an explosion of gas or fire damp existing in said mine on account of the criminal negligence of the officials operating the said Panama mine, not observing the laws of the state of West Virginia and the regulations and instructions of the department of mines, regulating the mining business, regulating the mining business, regulating the mining business."

"The said officials being Willis Hupp, the fire boss, and Charles E. McCabe, the mine foreman and superintendent." (Signed) J. T. McCombs, coroner. T. S. Bonar, foreman. S. A. Walton, R. M. Smith, W. W. Echols, A. R. Rickard, J. W. Alexander.

After deliberating but one hour the above verdict was returned last evening by the jury in the state probe into the Panama mine horror at Moundsville. The verdict did not occasion surprise among those who followed the evidence adduced in the investigation as the finger of blame had been pointing more and more directly toward the two officials ever since the opening of the case Wednesday morning.

The charge hanging over Hupp will never be pressed. The death angel has claimed him as one of the eight victims of the worst mine horror in the northern part of the state. According to the jury's verdict Hupp was partly responsible for his own fate.

The case of Mr. McCabe will be taken up at the next session of the Marshall county grand jury. Should indictment and conviction follow a prison sentence stares the mine foreman in the face. McCabe was not in the mine at the time of the explosion but he was overcome while fighting heroically with the first rescuing party to reach the ill-fated victims the morning of the accident. His father-in-law, Andy Chesky and a brother-in-law, William Chesky were among the dead taken from the shaft.

Violated State Law. The verdict was returned solely in keeping with the evidence. The trend of the testimony was aptly summed up by Chief Mine Inspector John Laing, who made the address to the jury for the state. "The failure of Hupp to inspect the entry in which the explosion occurred before the men were permitted to enter the mine and the fact that Superintendent McCabe allowed them to go into the shaft before the fire boss had made an O. K. report to him, show both to have violated the state mining laws. There is only one verdict to be brought, under the circumstances," he said. "That is one of criminal negligence against both Hupp and McCabe."

"Yesterday I made the statement during my examination of a witness that Hupp had been 'maliciously' negligent. I am not a lawyer and not familiar with their terms. The word 'malicious' was an unfortunate slip. I want to apologize to you and to the friends and family of the dead fire boss. I do not believe that Hupp was 'malicious' in his negligence, and I am deeply sorrowful that I must believe

They Make Good who keep themselves in fine physical condition. Regular bowels, active kidneys and liver, good digestion, and a greater natural vigor follow the timely use of the reliable BEECHAM'S PILLS

COAL BOAT STAGE IN MONTH OF JULY

FIRST TIME IN FIVE YEARS AND LARGE FLEET PASSES DOWN.

Heavy Rains Over Water Sheds Makes Good Stage. General News of the River.

For the first time in five years there is a coal boat stage on the Ohio river during July and all the owners and operators are taking advantage of the present rise to send their shipments to the Southern markets. Several large tows were sent out yesterday from the Pittsburgh pools, and the Volunteer, the A. R. Budd and the Monitor, forming the advance of a large fleet, passed that having several barges and coal boats in tow. The Monitor had a cargo of 31,000 tons.

Excellent Stage. Heavy rains over the Allegheny and Youghiogheny water sheds have resulted in an excellent stage on the Ohio river and rivermen expect a steamboat stage to be maintained throughout the month. With the marks at the local wharf standing at 19 feet 6 inches yesterday afternoon the river was still rising. The wharfs are down at all the dams along the river.

Brief River News. The Charted No. 2 made the trip to Clarington in the place of the Liberty, which carried the excursion of the First Baptist church last evening.

The Graham passed down yesterday morning, with a tow of 12 steel model barges, bound for Cairo. The barges are of new design and are rapidly replacing the wooden ones. The Liberty will run her regular Sunday excursion to New Martinsville tomorrow. These excursions are proving very popular and it is likely that a large crowd will attend.

Friday's Boats. Greenwood, Parkersburg, 6 a. m. Indian, Matamoras, 11 a. m. Charter No. 2, Clarington, 3:30 p. m. Liberty, excursion.

Saturday's Boats. Ohio, Cincinnati, 7 a. m. Sonoma, Marietta, 11 a. m. Liberty, Clarington, 3 p. m.

Big Coal Shipment. PITTSBURGH, Pa., July 19.—Seven million bushels of coal were sent South from the local harbor today, the first July shipment in five years. It was one of the largest summer fleets in the history of the Ohio river. Recent heavy rains in the mountains brought a good boating stage.

The Marks. PITTSBURGH, Pa., July 19.—More than 6,000,000 bushels of coal were shipped today to southern ports via the river route, this being the first shipment on a July stage within five years. Rains over the watersheds of the Allegheny and Monongahela rivers and tributaries are given as the cause of the rise. Stages: Davis Island—8.8 feet falling, clear. Steubenville—11.5 feet stationary, clear. Parkersburg—7.6 feet rising, cloudy. Oil City—14 feet falling, clear. Morgantown—7.3 feet stationary, clear.

NEWS BRIEFS

Ensign H. I. Moore, who has been in charge of the spiritual work in the Salvation Army of this city, has been transferred and will be succeeded by Captain Charles McCrea, who has been in charge of the army in Bluefield. Ensign Moore will take the captain's place at Bluefield.

Louis Stolarzyk, aged 27, a native of Poland, yesterday filed a declaration of intention of becoming a citizen of the United States in the U. S. district court. By occupation he is a sewing machine agent and resides at 4212 Jacob street.

Notices were sent out yesterday by Referee in bankruptcy Henry A. Nolle to the creditors of Charles and Frank Rosenberg, doing business under the firm name of C. & F. Rosenberg, that a meeting will be held August 1, at 10 o'clock, to consider several important matters, including the report of the trustee concerning the offer of compromise between the trustees and the bankrupts and Minnie Rosenberg, mother of the bankrupts, and also the desirability of a final dividend in the liquidation of the estate.

Four additional mail boxes in the local postoffice left yesterday on their annual vacation of two weeks. Those to be closed, Central Warehouse, Louis Knoke and Ray Kinross.

The board of trade in making efforts to land a number of conventions in this city next year, two of which are of national character, through J. E. Giffin, an invitation will be extended to the National Photographers' Association to hold their 1913 convention in this city. It is in this endeavor that the assistance of the board will be of great value. The board will also be endeavoring to bring to this city the 1913 convention of the National Streetcar Operators' Association, of which he is secretary.

Through the local reversing utility four additional cars have entered the Third Street Army and Navy building. They are being used by the War Department, in its new quarters.

Mid-Summer Wearables at House Clearance Prices. The Popular Store is ablaze with Price Reductions in all departments and there is a "Feast of Bargains" awaiting the early comers. For Street, Vacation or Outing. 73 Nifty, Natty Tailored and Fancy Norfolk Suits—pure Natural Linen—also White—Black Patent Leather Belt—Ladies' and Misses' sizes. They were to be priced \$7.50—but for "House Clearance" \$2.98. Ladies' Washable Coats. Mercerized Silk Poplins, Silk Repps—this season's smartest Coats—all sizes—as there are only 27 of these, we advise an early call—most of these Coats sold up to \$9.50—"House Clearance" Special \$3.98. Ladies' White and Colored Lingerie Dresses. We are showing by far the largest selection of Silk Mulls, Batistes, Marquisettes, French Imported Madras—embroidered and old Cluny lace trimmed—Peplum effects—these are guaranteed Washable Dresses—prices on these heretofore \$5.00, \$7.50 and \$10.00—"House Clearance" Special, \$4.98 and..... \$2.98. Ladies' House Dresses. 112 House Dresses—made of the famous Arnold's Percalae—Black and White grounds, Grays, Blue and mixt colors—garments are made from fade-proof fabrics—full size, perfect fitting—values to \$1.50—"House Clearance" Special. 79c. Ladies' Mercerized Silk Lisle Hose. 1,100 pairs of Silk Lisle Hose—linen heels and toes—shaped and seamless—garter tops—all sizes, including outsizes—all colors—Blue, Tan, Brown, Maroon, Green, Gray, etc.—values up to 35c—"House Clearance" Special..... 13c. Ladies' Corsets--The Livingston Special. Just received 500 pairs Ladies' French Coutil Corsets—made abroad and imported by the Livingston Store direct—all new styles—guaranteed "Rust-Proof"—just to introduce and convince you—the pleasure that awaits you—our "House Clearance" Special..... 98c. Men and Boys, Your Outing Shirt Is Here. 500 dozen Men's Blue Chambray, Black Satine, Stripe Madras, Fancy Percalae—all full and well made—perfect fitting—fade-proof—with collars attached—soft separate collars—French soft cuffs—all sizes to 19. Don't miss the "Shirt Sensation of the Season"—"House Clearance" Price, 49c, 44c and..... 23c.

LIVINGSTON'S Opp. 11th St. WHEELING, W. VA. 1065 Main St.

DINNER SET BRIGGS \$5,670 AT AUCTION

Good Prices Received at Christie Sale of Chinese, English and Continental Porcelains.

LONDON, July 18.—Old Chinese, English and continental porcelains collected by Lieutenant Colonel H. S. Home Drummond, of Blair Drummond, Fife, Perthshire, sold at Christie's here today, brought \$15,331. The total for the two sessions of the sale is \$28,115. The day's tender sale—\$1,670—was given by the Hamburger brothers of Berlin, for a journey dinner and dessert service consisting of one hundred and seventy-five pieces. They are painted with fruit and flowers in colors and dark and blue borders, all with sprays of flowers and foliage. The sale gave \$121 for a pair of Ludwigsburg oval vases and \$1,351 for a panel vase, grandest of the seventh century, depicting "The Annunciation." A Worcester dinner and dessert service by Chamberlain went to someone for \$251, while Spielman bought for \$787 six Delft blue plates painted with scenes from "The Passion." A collection of Egyptian antiquities was dispensed at Sotheby's, Sambon, of Paris, got the prize of the day. It cost him \$5,375. It is a painting on stone of a funeral feast, and dates from the eighteenth dynasty. Bianchi secured a colored vase of bust of a youth for \$150. A painted parrot bust brought \$110. Lady Moran gave \$700 for a painted panel bust of a lady, and \$150 for another.

FINE PRIZES Will be Contested for at the K. of P. Encampment at Charleston Next Month.

Beginning on August 26th and continuing for one week, the Knights of Pythias encampment will be in session in Charleston, and a large delegation of local knights will attend the encampment. The local companies expect to make marks on the money slate. Following are the prizes for the encampment: For instruction and proficiency in drill—First, \$150.00; second, \$100.00; third, \$50.00.

Class B—Open to all officers. First prize—First Lieutenant, \$15 in gold; first prize, Second Lieutenant, \$12.50 in gold; first prize First Sergeants, \$10 in gold; first prize, best drilled Knight, \$5 in gold. Prizes for Subordinate Lodge Parade. For the largest number of any lodge, \$50. For the lodge coming the greatest distance, 25 or more in line, \$50. For the largest percentage of members of any lodge outside city of Charleston, \$20. No lodge will be entitled to more than one prize. Prizes for field day contests will be named later.

PICNIC. I am going so are you to the N. E. L. & A. Picnic at State Fair grounds today. Dancing afternoon & evening.

The Hawaiian station maintains demonstration firms on several of the other islands and issues publications and general information on all matters pertaining to rural interests and welfare. The territorial government contributes a small amount toward the maintenance of this station.

"It Isn't Always Best To Change Your Mind" By "Bud" Fisher

