

NEGLIGENCE CHARGE MADE
AGAINST MINE OFFICIALS
AND INSPECTOR SHIFLET

Coroner's Verdict in Fraterville Mine Explosion
Investigation—"Caused by Gas or Coal Dust or Both Combined"—The Evidence Introduced.

(By Jesse S. Cottrell.)

Coal Creek, June 24.—The first legal exposure of the facts surrounding the frightful and appalling Fraterville mine disaster has been made before a legal tribunal. After sitting until 10 o'clock last night, and examining nearly a score of witnesses, including mine experts and miners who have spent their lives in the labyrinth of coal mines that honeycomb the resourceful coal-bedded hills of East Tennessee, the jury found that the dreadful explosion "was caused, by gas or coal dust or both combined and further agree that said explosion was caused by neglect of the mine officers and the state mine inspector." It was shown to be a gas or dust explosion. This verdict, favoring of sensationalism as it does, was rendered by a jury of seven reliable and highly respected men of Anderson county, chosen as they were from the flower of its citizenship. The jury proceeded cautiously, measuring each step as commensurate with its evolution of the facts presented. This verdict should not be considered as conclusive as to the cause of the mine explosion. The law writes long ago laid down the new universal and truly just and who prevent that will be accounted for (defendants) is found otherwise he is regarded as innocent—and the Coal Creek Coal company has thus far only combinally defended itself and not a single witness has it introduced in rebuttal to the volume of evidence deduced. The company has been adequately represented and has during this strenuous and somewhat animated proceeding assented to the procedure taking the course it would and not once throwing an obstacle or barrier in the way of the lawyers, coroner or jury working to get at the facts necessary to appease the curiosity and satisfy the desire of many, including about one thousand widows and fatherless and orphaned families, to get at the facts. The testimony has been overwhelming. It is true, that someone is responsible for the death of 10 more or less of the flower of Anderson county manhood. This responsibility and liability has thus far been heaped upon the Coal Creek Coal company and the state mine inspector. They have not been heard, but many future developments will be predicated upon the investigation thus far. During the inquest, which was in the elegant opera house, about 100 men listened to the witnesses. Maj. Camp, president of the Coal Creek Coal company, listened closely to every statement made, and so did his son George, who was superintendent of the mine where-in dwelt the death-wrecking elements. Major Camp has been a benefactor in this community and many families have lived by his industrial enterprise. A young man was never loved by the men under him more than George Camp. A young man as he is, he feels their welfare and endeavors to protect it. Every one now regrets his predicament in the case. But the other side of the picture need not be depicted. Distraught homes on every side tell the story. The trial ended last night shows that long drawn out suits will follow; that the company wants to get matters settled and proceed with work and that the company may fight to a finish. Judge H. B. Lindsay and Hon. Chas. T. Caine, Jr., represented the coal company; J. A. Fowler, the Knoxville Iron company; and John C. Houk, J. B. Burnett, Men Z. Hicks, David Woods, R. A. Cross and Chas. Chandler, families of the dead miners. Gen. J. C. J. Williams represented the U. M. W. of district No. 19, and Miss Edith Brantley and Edward Harker were the stenographers who committed the evidence. "Requie W. W. Lindsay made a wise ministerial office as coroner."

Coroner's Verdict.

(By Jesse S. Cottrell.)

Coal Creek, June 24.—It was 10:30 o'clock last night when the verdict in the Fraterville mine investigation was rendered by the coroner's jury of inquest, State Labor Commissioner and Mine Inspector R. A. Shiflet, who was served with a duces tecum subpoena process, making a command to him, as a witness, to bring all records, books or the like needed as evidence, did not appear or give his testimony, as he is very ill in Knoxville. The verdict of the jury as rendered was as follows:
"State of Tennessee,
"County of Anderson.
"An inquisition holden in the state and county aforesaid, on the 23d day of June, 1902, before W. W. Lindsay, coroner of said county, upon the body of R. C. Green, and about 200 others, there lying dead, by the jurors, whose names are hereto subscribed, who do say that upon their oaths that R. C. Green and about 200 others came to their death on the 18th day of May, 1902, in the Fraterville coal mine, owned and operated by the Coal Creek Coal company, from an explosion in said mine, which explosion was caused by neglect of the mine officers and state mine inspector.
"In testimony whereof, the said jurors have hereto set their hands, this 23d day of June, 1902.
"JOHN HARRIS,
"WM. WORTHINGTON,
"G. B. DABNEY,
"C. B. COX,
"J. M. BLACK,
"G. W. LOVELLY,
"WM. KESTERSON."
"W. W. LINDSAY,
"Justice of the Peace, Fifth district, Anderson county, acting coroner."

morning at 4 o'clock."

"I did not know that he went away but do know he kept the furnace."

"Was there any way for the Fraterville mine to be supplied except from the Thistle mine, as was the case when the dead men were taken out?"

"No, there was none. There was a brattice or gateway between the Fraterville and Thistle mines. I noticed that the air Saturday night was a little heavy as was the case, and I should think I was bad by Monday morning."

On cross-examination by Judge Lindsay the witness said:
"I noticed nothing unusual in the condition of the Fraterville mine. Last April when I cut into the old Knoxville Iron company mine, I noticed no gas in the thirteenth right entry, and there was no explosion there that Saturday night when I was there. I filed up the hole I made last April as I was told to do."

"Wasn't this a good method to stop up the hole?" asked Judge Lindsay.

"No, it wasn't, as slate and dust with which I filled the hole and tamped it, will finally let the gas in through it."

"Have you made a written statement to any one about the knowledge you have about this mine?"

"No, I have made no statement to anyone of what I know about the explosion."

Gen. Williams asked: "Would gas penetrate the hole you made, and find, into the iron company's mine?"

"I think it would go through finally, Gen. Camp was in the mine when I made the hole. He also ran a crossbar into the hole after I had made it."

"You have just said that you knew the brattices in the mine were in good shape, now can you state positively that they were?" asked Gen. Williams.

"The light was not good but from what I saw, the bratticing was alright."

"Was the filling you put in to fill the hole of ordinary slack, or of mud?"

"It was chiefly of slack. I don't believe there was any mud at all in the filling."

"What would have been the safest way to have stopped the hole instead of tamping slack and dust into it?"

"There are a number of ways to brattice a mine. The proper way to fill this hole would have been to put wood across it, damped it over, for this is the best way to brattice."

On cross-examination by Judge Lindsay:
"Is it not a fact that this hole was about three feet deep, and was completely filled up and that this entry was abandoned for awhile?"

"I don't know about it being completely filled up, but it seems that this entry was abandoned."

"Who was with you in the mine on the Saturday night previous to the explosion when you were in it making improvements?"

"Those with me were Jas. Crowder, Milt Atkins and his son and Andrew Brumson."

At this point Jurymen J. M. Black asked a number of questions which introduced the fact that the witness, who a miner, could not discriminate the difference between a dust and acid powder explosion and that he had no scientific knowledge of the conditions of said mining.

E. M. Higgs Testimony.
Direct examination of E. M. Higgs: "I am a miner, and 42 years old."
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