

BODIES OF 15 MEN REMOVED FROM MINE IN HOPKINS

(Continued from Page One)

Gus Pryor, mechanic, 48.
Bert Cunningham, 35.
Edgar Adams, 32.
Neeley Todd, 45.
Junior Gamblin, 30.
Goldy Gamblin, Junior Gamblin's brother, 30.
Obey Wells, 39.
Henry Martin, 45.
Robert Dunning, 25.
Dan Pearson, 50.
He Whitfield, 55.
Other Sisk, 35.

Whitfield had reported for work Monday for the first time since last March. He and the other miners had been in the pit about fifteen minutes when the explosion occurred.

Several Miners Rescued

Listed as saved from the deadly blast were: Elbert Rainey, Clayburn Gamblin, P. R. Whitfield, Luther Payne, Paul G. Denton, Gilbert Pendley, Herman Fork, John Bean, Jack Satterfield, Clayton Carroll, Dixon Bean, Rube Whitfield, Rufus Stenore, John Foster, Ulee Knight, Jewell Knight, Claude Denton, Luther Samples, Sanford Morris, Clarence Hammonds, Andrew Morris, Willie Clark, Churchill Proctor, John Buchanan, George Schendley, Bryan Nance, Marvin Teague, Arnold Teague, Weaver Adams, Ed Owens, Dell Ferguson, Clarence Blankenship and David Whitfield and Lurmont Teague. Clayburn Gamblin, one of those rescued, is a brother of Junior Gamblin and Goldy Gamblin, two of the fatally injured.

All men who were not killed, with the exception of Lurmont Teague, left the mine within a short time after the explosion. Teague remained in the pit until late afternoon. He directed members of the rescue squads to the point of the explosion as they entered the mine. As squads became exhausted, one relieved another, to complete the task of reaching the bodies of the trapped men.

Spark May Have Caused Blast

Moss Patton, of Lexington, state mine inspector, had not made a report on the cause of the explosion, but experienced mine men speculated it was caused by a spark from electric machinery, with which that part of the mine in which the men worked who were killed was operated.

Weaver Adams, one of those rescued, was at the mine throughout the day and related a story of the explosion.

There was a deafening roar, he said, and he and others of the men were knocked from their feet by the force of the blast. Electric lights in the mine were extinguished by the explosion, but with the glow of safety lights on two of the miners' caps a pall white smoke was seen creeping through the pit. The men started back to an air shaft through which rescue operations were effected, keeping from the main entrance because they thought it was from there that the explosion occurred. Finally they reached the shaft, which is about one-half mile from the main entrance to the mine, although a gas known as after-damp caused one of them, Claude Denton, to be overcome. Dixon Bean and Clarence Blankenship aided him to the air shaft. Other miners placed damp rags over their faces in an effort to keep the gas out of their nostrils.

Arnold Teague A Hero

Four others in the list of rescued—John Buchanan, Rufus Stenore, Andrew Morris and Sanford Morris—said they owed their lives to the thoughtfulness of Arnold Teague, another of the rescued.

The quartet reported they were working behind Arnold Teague when the explosion occurred. Teague, who started immediately toward an air vent, stopped a moment to write on a piece of slate:

"We're up air course, safe."
The four men were headed toward the main entrance, by this time filled with deadly gas, and would have gone into the after-damp had not they read the message from Teague. On reading it they changed their course and made for the air vent.

A short time after the explosion, Superintendent Gannon said that prospects for rescue of the men were "none too bright," and as news of

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Crowd Gathers Around Daniel Boone Mine During Rescue Work



A portion of the crowd that thronged around the air shaft of the Daniel Boone coal mine, in Hopkins county, in which fifteen miners lost their lives in an explosion Monday, is shown, top, at the height of the efforts to reach the bodies of the trapped men. The air shaft is located below the small white brick building at the right of the picture. The dark opening at the left of the building is one through which fresh air is sucked into the mine. Lower left, four members of rescue squads, exhausted from efforts to reach the trapped men, drink coffee and eat sandwiches while Mrs. Louise Merrill, a nurse from the Hopkins County hospital, who was there to aid in rescue work, talks to them. The rescue workers are, left to right, Ezra Tattsworth, McKinley Hicks, James Ashby and Willie Welch. Lower right is the tippie of the Daniel Boone mine, at which is located the entrance to the mine through which the men passed in going to work only a few minutes before the blast.

—Inquirer Photos by John W. Potter

the blast spread through the mining section, mothers, wives, daughters and other relatives of the men who were at work in the pit began gathering at the main entrance. However, when those who were rescued were taken from the mine through the air shaft and it became known that was the scene of the rescue activity, the throng, which numbered several hundred throughout the day, moved to that other part of the mine property. Many women were hysterical.

The first rescue worker entered the deep air shaft in a barrel that was lowered with ropes, and it was raised and lowered successively until all thirty-three of the miners who came out at that time had been raised to the surface. The rescue crews entered the mine through that air shaft, over which was constructed a small brick building, housing an air fan which forced fresh air from the surface into the pit.

Rescue workers reported no major cave-in in the mine, although the force from the blast broke timbers with which the passages were braced and tore loose track on which the mine cars were run into and out of the mine. Work of reaching the trapped men was hampered by the necessity of rebuilding the braces and removing the debris.

Blast In Seventh Entry

The explosion occurred in the seventh entry of the slope mine, which differs from a shaft mine in that the former is entered through the side of a hill, instead of by an elevator that lowers the workers into the earth. The thirty-four who were not killed were working in the sixth entry, an old mine area in which pick and shovel are used to dig the coal. In the seventh entry the miners use pneumatic drills and are known to miners as "duck bill" mechanical loaders. Several mines used to haul the coal cars to the tippie from the sixth entry were killed by the gas.

The Daniel Boone mine disaster was the second in this section of Western Kentucky in a little more than two years. Twenty-eight miners lost their lives on July, 1938, in an explosion at the Davin mine at Providence, Ky.

The seven rescue squads who pushed the work of reaching the mine passages to the trapped men could be reached were from the Dawson Daylight mine, Williams mine, Flat Creek mine, North Diamond mine of the West Kentucky Coal Co., the Hart mine, and the Crabtree mine and Nortonville mine, both of the Norton Coal Co. All are located in Hopkins county.

Two Killed At Earlington
The day was one of disaster for Hopkins county miners. Two other coal diggers, working in the North Diamond mine of the West Kentucky Coal Co. at Earlington, from which one of the rescue squads was sent,

lost their lives shortly before the bodies of the fifteen who had been killed in the Daniel Boone mine were found.

Palling gobs, a mixture of rock and slate, fatally injured Clyde "Red" Austin, 34, well known in Western Kentucky as a semi-pro baseball player, and John R. Phelps, 27, in the North Diamond pit. Austin is survived by his widow, his mother, a brother and two sisters, and Phelps is survived by his widow, his mother, a brother and a sister.

Listed among survivors of those killed in the Daniel Boone mine were:

Keys, his widow and four children.
Joey, his widow and one child.
Pryor, his widow and four children.

Adams, his widow and three children.
Todd, his widow and two children.
Junior Gamblin, his widow and two children.

Wells, his widow.
Martin, his widow and two children.

Goldy Gamblin, his widow and two children.
Whitfield, his widow and two children.

Compton, his widow and one child.
Cunningham, his widow.
Sisk, his widow.

Dunning was single.
Hopkins County Coroner Carl Hoffman will conduct an inquest into the deaths of the victims of the Daniel Boone blast at Nortonville at 10 a. m. Tuesday. He will hold an inquest into the deaths of Austin and Phelps at 8 a. m. Tuesday.

4 TOBACCO FIRMS, 13 EXECUTIVES ARE FOUND GUILTY

(Continued from Page One)

deliberating and his name was omitted from the verdict.

Nolley was the second of the executive defendants to die since the accusation was filed July 24, 1940. William W. Flowers, board chairman of Liggett and Myers, died a week before the trial began. His name also was omitted from the verdict.

Special Assistant Attorney General Edward H. Miller, chief prosecution counsel, said conviction of the major companies, American Tobacco, Liggett and Myers and R. J. Reynolds, should be "very beneficial" to tobacco growers and to

other major firms, twenty-one subsidiaries and twelve executives, named co-defendants in the accusation, filed by the department of justice July 24, 1940.

These defendants remained out of the 30-week trial under an agreement, filed by the department of justice, whereby they would accept penalties if convicted.

Attorneys said their position was complicated by the fact that some trial defendants were acquitted while others were convicted.

Prosecutor Miller said that while the position of most off-trial defendants remained an "open question," the major firms among them would be bound by conviction of the major firms on trial.

The major companies among the defendants remaining out of the trial were Philip Morris, P. Lorillard, British-American, Imperial and Universal Leaf.

Trial Lasts Nearly 5 Months
In dismissing the jurors, Judge Ford expressed thanks for their "faithful and patient" service during the nearly five months of proceedings and asserted that he felt there could be no doubt that they had rendered an "honest verdict."

Before the jury made its report, the judge warned against any manner of demonstration and instructed the marshal that anyone who made a disturbance should be arrested immediately.

The reading of the four-page verdict by the clerk was received, however, in complete silence.

The government based the prosecution on these contentions:

1. That the defendants fixed the prices of the leaf they bought from growers, the factory prices of the tobacco products they made, and the retail prices of those products.

2. They accomplished it through an "understanding or agreement" that enabled them to combine great power and resources and achieve domination of the industry in restraint of trade by others.

3. Leaf prices were controlled by power over warehousemen and trade boards which made marketing regulations, by formulation of non-competitive grades, and by not purchasing the same kind of leaf on the same markets at the same time.

4. Factory list prices and discounts to those on the defendants' "direct customer lists" were kept identical by making all price changes simulta-

neously and keeping the same customers on the direct lists.

5. Retail prices were controlled through domination of sales outlets—a domination achieved by granting or withholding discounts, using shipments containing free goods, and using advertising allowances and "special deals."

6. The motive for combining was a "hundred-million dollar profits melon" for the major companies, in which the executive defendants shared under systems providing bonuses based on the amount of corporate profits.

Outside Competition Fought

The defendants teamed together against outside competition in order to keep the "profits melon" intact for their combination, and competed with one another only to determine what would be the share of each in the melon.

The defendants, counter-claiming that the prosecution case was based upon "fantasies, phantasies and prejudices," denied every accusation.

Declaring that the government's real complaint was that the defendants were "guilty of the unpardonable sin of success," the defense contended further that:

1. Each company operated in strict independence and competed vigorously with the others both in buying leaf and selling products, and all worked only on the "sound principles of free American enterprise."

2. Prices were controlled only by the law of supply and demand and the "irresistible force of competition and economics," and tobacco ranked high among farm products in cash returns to the growers.

3. Non-defendant manufacturers of ten-cent brand cigarettes, "victims of the alleged conspiracy" increased their sales volume 2,740 per cent between 1930 and 1939 while all cigarette sales rose but 2,000 per cent between 1931 and 1939.

The jury deliberated almost exactly thirteen and a half hours, divided nearly equally between the two deliberation days, Saturday and today.

The jurors rested yesterday.

William D. Merryfield, 33, Irvine high school principal, served as foreman of the jury. Those serving with him were:

Hooper Blivins, 37, Cumberland furniture dealer.

Arthur Wells, 30, Mt. Olivet produce dealer.

James L. Armstrong, 39, Paris insurance agent.

DRINK