DEPOSITION IS READ SUMMARY OF THE BEE DEWEY THINKS IT GOOD MOVE NO DEAL MADE WITH MEXICO GRAIN MEN WIN THEIR POINT PROBE TELEGRAPH COMBINE FIVE YEARS

Haywood Defense Attacks Orchard's 'Frisco Bomb Story.

TESTIMONY OF MR BRADLEY

Owner of House Says Gas Explosion 14 15 16 17 18 19 Caused Wreck.

HOLE FOUND IN GAS METER 4 29 30 31 9 9 9

Escaping Gas Was Ignited from His Cigar.

NO FIGHT AGAINST MINERS

Was Not President of Mine Owners' Association and Had Not Tried to Drive Union from

the State. BOISE, July 8.-The entire morning ses-

sion of the Haywood trial was taken up with the reading of testimony offered by the defense on the subject of the explosion at the house of Fred Bradley, in Washington street, San Francisco, in 1906. The testimony was taken by a commission appointed by Judge Wood, who is presiding at the present trial, and is intended to contradict Harry Orchard's story as to the placing of a bomb on the front porch of the Bradley house as a part of the conspiracy alleged against the Western Federation of Miners and of which the state asserts that the Steunenberg murder was an incident. The President Schaeffer reading his opening defense during the stay of the commission in San Francisco secured the testimony of Bradley himself and several others expressing the belief that the explosion was due to gas, and declaring that the havor wrought by it was not caused by dynamite. Orchard declared that the bomb arranged by him to be exploded when the front deor was opened contained about ten pounds of panies, dynamite encased in a large section of lead

The reading of the testimony, which was taken in question and answer form, was begun immediately after the convening of court at 10 o'clock. Attorney Clarence Darrow undertook the long task and seated himself in the high witness chair facing the

The attorney read first the testimony of Walter H. Linforth, the owner of the partment house in which Bradley lived. Linforth sued the gas company just after the explosion and was awarded \$10,006 damages. With the Orchard confession as a basis,

the gas company is seeking a new trial. Linforth, who lived in the next building to the apartments, declared that the noise of the explosion was teriffic and the windows in houses for blocks around were broken. Hurrying to the scene Linforth said he could not smell any powder nor dod he see any fragments of lead.

In the basement of the apartment house there were seven gas meters. Two months after the explosion, two plumbers found a hole in the back of one of the meters. The building was of frame and gas escaping in the cellar could rise between the walls to the vestibule where the explosion occurred.

Mr. Bradley's Testimony. In his testimony Bradly stated that on 1904, he started to leave his apartmen about 7:30 a. m. He had a lighted cigar in his mouth as he walked down stairs. "Immediately after placing my hand on the knob and starting to open the outside door of the vestibule," said Bradley, "there was a flash of light at the end of my clgar. thought someone had been joking me and that I had been given a trick eigar. Next there was a deafening explosion. My first

impression was that I had been shot in the head. My next impression was that I was being asphyxlated and would die if I did not get out. I felt a tremendous pressure holding me down. Then there came a lifting force and I was thrown out into the street onto the car tracks. I knew I was on the car track for I remembered feeling I must get out of the way or a car would be along.

The attorneys who took Bradley's testimony asked how long a space of time there was between the flash at the end of the cigar and the explosion?

"I had time to think I had been given a trick cigar," was the reply. Bradley said he saw nothing of a newspaper, string or screw eye in the vestibule or on the door, Asked if he smelt the gas at the time of the explosion, Bradley said he did, after being "amashed to the floor." He added that he was familiar with the smell of exploding powder and dynamite, but could detect the fumes of neither at the time of the explosion. He had smelled gas for some time previous to the explosion, and Mrs. Bradley had complained to the gas company about the matter. Bradley clared he was never president of the Mine Owners' association of California and had never attempted to drive out of California the Western Federation of Miners or its

A week or so prior to the explosion Mrs. Bradley had complained of smelling gas on the stairs, while the witness himself could smell nothing. There had been general complaint in the house about the escaping gas. Further examined, Bradley said he felt two distinct forces, the first The interval between gave him time to think he was shot in the head, to feel as if his ears had been blown off and iation. The latter feeling he was sure came

from illuminating gas. Toward the conclusion of his deposition. Bradley said that his first belief that the explosion was caused by the gas had been considerably modified by Orchard's confession and the other testimony offered on

EDWARD G. -LEWIS INDICTED

Grand Jury Orders President of People's United States Bank

Into Court. ST. LOUIS, July 8 .- Seven indictments have been returned by the federal grand tury against Edward G. Lowis, prosident of the People's United States bank, charging fraud. The indictments were returned Saturday, but the fact was not made public until today. In one indictment Lewis and Francis V. Putnam, cashler of the bank. are charged with using the mails in furtherance of a schome to defraud the bank's stockholders; and the other indictment is against Lewis. Frank J. Cabet and William B. Miller, charging conspiracy to defraud

the government on postage rates on the mailing of the publication issued by Lewis. The other indictments stand against Lewis alone, charging him with a scheme to defraud through the People's United States bank. All the defendants gave bend point from Bremen today, manned by Britch allows.

9 10 11 12 13

FOR NEBRASKA-Local

22 23 24 25 26 27

Omaha yesterday:

Hour.

THE WEATHER.

DOMESTIC.

Crowd cheers the judge.

when he will pass sentence.

Gould's petition for divorce.

place in October.

pected Tuesday.

complaint.

cide in fail at Madison.

proportional rate on grain.

and is drowned in river at Gibson.

ket in Omaha is growing.

provements for Cut-off lake.

YORK ... Carelina ...

rest for two months.

MOVILLE Columbia.

ROUTHAMPTON. St. Paul.

QUEENSTOWN ... Etruria.

PHILADELPHIA. Marion...

Chicago.

Movement in interest of hig wool mar-

City officials looks for peddler who uses

short measure and who has avoided ar-

Park commissioners plan many im-

MOVEMENTS OF OCEAN STEAMSHIPS.

Government Helps Chicago to Pre-

vent Operation of Big Syndi-

cate of Gamblers.

cel the vessel's license at once,

Track at Herrin, Ill., Kill-

ing Crew.

ton. The engine rolled down an embank-

Steamer's Crew on Strike.

der it and crushed to death.

was specifically licensed.

Page 7

Page 7

Page 7

Sailed. Manuel Caivo.

of his effects.

Mayor McClellan of New York

HEBBASKA.

LOCAL.

Attorney general asks injunction against

JULY

1907

8

Tuesday, July 9, 1907. Admiral Says Moving of Fleet May 1907 Hasten Canal Work. TUE WED THU FRE SAT 2 3 4 5 6

Sees No Danger in Leaving Atlantic

who is sojourning for the summer at Richbattleship fleet to the Pacific:

but since we have not it seems that in the American diplomacy to subdue. that our fleet should be in the Pacific.

tenced by Judge Dunne to five years in become seriously involved with any power. the pentientiary for receiving a bribe. But if trouble should come by any chance Page 1 It is well to be fully prepared for it. Depositions of Frank Bradley read in "It is necessary for us to hold the bal-Haywood trial at Boise to show that exance of sea power on the Pacific. The deplosion at his home occurred from leaking fenses on that coast are not up to the

was proven in our war with Spain." the trip of the Atlantic fleet to the Pa-In discussing the possibility of the fleet cific will be a good thing. Naval officers

Justice McCall at New York refuses to ing to fear. There were no enemies to Brabant will arrive here tomorrow. take scandalous matter from Mrs. Howard threaten the Atlantic coast, he said, and

misses Corporation Counsel W. B. Eilison. defenses there are in excellent shape. express companies to prevent them from fleet. He believes it will urge the conviolating the new rate law. Treasurer struction of another Atlantic fleet with the Brian is having no trouble in finding ships now building as a nucleus and posbanks which will give the required bond sibly it will stimulate and hasten the

and pay 3 per cent interest on state Loris Higgins, confessed murderer of the Copples at Rosalie, was taken hur- patch to the Oregonian says orders have riedly to Pender and given his preliminary been given to rush work on the battleships hearing, waiving same. Trial will take Oregon and Wisconsin, which are under-W. J. Sloane confesses that he murdered new battleship Nebraska, which went into Frank Herman near Alda and robbed him commission a week ago, is to have its alter-Page 3 atlens made and the crew will be called out Herman Boche, murderer of Frank Jur- as soon as men can be brought here.

A special to the Oregonian from Seattle mer of Norfolk, attempts to commit sui-Page 3 says Admiral Burwell, commandant of the Puget sound navy yard, has sent an urgent Young Men's Christian association cam- request that two extra dry docks be built the morning of the explosion, November 17. paign continues and better results are ex- at Bremerton, in addition to the new dock Page 7 congress authorized a year ago and which Omaha Grain exchange proclaims vic- the Navy department has just commenced Page 1 mediately built and will be twice as large of the province of Nganhwei was murdered as the solitary dock at the Puget sound minission, dock, but Admiral Burwell believes, with the natural increase in the American fleet.

HANKOW, China, July 8.—The governor of our position, we beg leave to quote again from the decision of your honorable body in the sugar case:

"All of the conditions, regulations and privileges obtaining as to any factor in the natural increase in the American fleet."

HANKOW, China, July 8.—The governor do our position, we beg leave to quote again from the decision of your honorable body in the sugar case:

"All of the conditions, regulations and privileges obtaining as to any factor in the natural increase in the American fleet."

HANKOW, China, July 8.—The governor of our position, we beg leave to quote again from the decision of your honorable body in the sugar case:

"All of the conditions, regulations and privileges obtaining as to any factor in the natural increase in the American fleet." tory over railroads in application of new to construct. The dry dock is to be im-Railronds answer complaint of Lincoln as the solitary dock at the Puget sound yesterday by a student. Accompanied by before Interstate Commerce commission, dock, but Admiral Burwell believes, with the director of police, the governor was maintaining justice of rates which cause the natural increase in the American fleet about to enter a school at Nganking, capi-Page 12 in the Pacific and the fact that the deeper tal of the province of Nganhwei, when A. J. Anderson falls from pile driver draught boats cannot get into the Mare Island dock, extensive additions will have Page 7 to be made at Bremerton.

Japanese Are Optimistic. THE HAGUE, July 8.—Vice Admiral disturbances have occurred. Flushing, dined with Queen Withelmina at and the Dutch minister were included in the party.

Speaking of the American-Japanese ques tion, the Japanese officers said they did not believe that a serious misunderstanding Queen Alexandra started this afternoon for was possible. The Japanese wished to Ireland, the second visit since their accesmaintain good relations with the Amer- sion. On their way their majesties icans, and, pointing to their swords, the spend tomorrow at Bangor and lay the officers added: "We are determined not to draw them for

WILL REVOKE CERTIFICATE country from attack. In the latter case you will find us ready for all sacrifices."

WASHINGTON, July 8.-By the revoca- SIX LIVES LOST IN WRECK tion of the passenger certificate of the Ship Sinks While Trying to Run steamboat City of Traverse the government today dealt a heavy blow to the al-Rapids in Skeens leged gambling syndicate of the city of River.

The City of Traverse leaves Chicago each SEATTLE. Wash., July 7.-Six lives day and anchors in Lake Michigan near were lost Saturday afternoon when the TOKIO, July 8.-It is reported that Dithe lines of intersection of the states of Hudson bay steamer Mount Royal was rector Ishii of the commercial bureau of Indiana and Michigan, and it is said con- wrecked on the rocks in Kitselas canon the Foreign office has been ordered to products there gambling operations. Informa- on Skeena river, sinking in less than five ceed to American and Canada, evidently in tion concerning the results at the various minutes afterwards. Many of the fifty-five connection with the Japanese labor ques- to move upon a proportional, but must move race tracks of the country are received by excited passengers jumped into the raging tion. The time of his departure has not wireless telegraph and the steamboat, it canon waters, but few were drowned, most yet been announced. is further alleged, is operated as a float- of the people saving themselves by clambering on the rocks of Ringbolt island.

The authorities of Chicago have endeav- The steamer was below Hazelton when ored to suppress the evil but their efforts the accident happened, passing through a ers is imminent. A meeting was held yescrushing him down and the second lifting have been futile. Finally Mayor Busse narrow canon which can be run only at terday at which a majority of the men emappealed to the government authorities to certain stages of water, where the strong pleyed in the mines expressed themselves take steps which would put an end to the current carries river boats three-quarters as unwilling to accept the company's schedoperations of the steamer. Today Acting of a mile in a minute and a half. The ule of wages. All the principal companies so think that he was in danger of saphyx. Secretary Murray of the Department of port quarter crashed against the rooky have signed an agreement to abide by the Commerce and Labor, instructed Collecor wall and the stern swung around and was proposed wage scale, and if the men reject of Customs Ames at Chicago that if the battered against the opposite wall, for the it at a meeting to be held today a strike facts were as represented he should can- boat was longer than the canon is wide. Will be declared and about 2,000 men will This involves the cancellation of the of water and sank rapidly. Some of the over the wages paid the surface men and steamer's passenger certificate as well, passengers jumped from the boat to the the length of the shifts of the underground This action is taken under the authority of island, others took to the water and others indipers. the revised statutes of the United States, floated through the canon on debris and which especially provides that a license were picked up by Indians in canosa. The granted to any vessel shall not be consid- Mount Royal was built at Victoria, B. C., ered in force any lenger than the vessel is in 1902. It was 130 feet long, 25 feet wide engaged in the employment for which she and drew is inches of water. It was com-

manded by Captain Steward B. Johnson. THREE BURIED UNDER ENGINE TO PROTECT TRUST FUND Switch Engine on Burlington Jumps Bill in Equity Piled by Children of Mrs. Mary Baker

CENTRALIA, Ill., July & Spreading rails CONCORD, N. H., July L.-A bill in equity derailed and ditched a switch engine two miles north of Herrin on the Burlington seeking, pending the present litigation to road today, killing Engineer E. Perd and place under the jurisdiction of the superior court a trust fund of \$135,600 created Trainmen Lewis Warne and Thomas Hutby Mrs. Mary Baker 6, Eddy last Poh-ruary, (subsequent to which time a suit ment and the three man were caught unfor an accounting of her property was begun), was filed teday. George W. Glever of Lead, S. D., sen of the Christian Science leader and his wife and four children are the complainants. The bill is one of the many entered

volving the property of Mrs. Hiddy.

Stories About Purchase of Lower California Not Based Upon

WASHINGTON, July 8 .- The Mexican ambassador, through Mr. Landa, secretary MAY ALSO BRING LARGER NAVY in charge of the office at Washington, today said:

Sees No Danger in Leaving Atlantic
Coast Unprotected, but Would
Not Favor Visit to the
Philippines.

NEW YORK, July 8-Admiral Dewey, who is sejourning for the summer at Rich-

field Springs, N. Y., is quoted in an inter- deprecate what they describe as the periodic view published in the Amercian today as revival of these stories about the acquisisaying in regard to the transfer of the tion of Mexican territory, because their publication is invariably followed by an "It is a pity we have not ships enough outburst of irritation and suspicion in to keep powerful fleets in both oceans, Mexico that requires the best efforts of

interests of peace it is best at this time. It is said that Magdallena bay is totally unsuitable for a naval station. It has been "This cruiser transfer, or whatever you customary when the Pacific squadron relike to call it, is a mission of peace. I do paired there senti-annually, to send a colstandard of the Atlantic. That the nation enter the bay for long target practice, Admiral Dewey in interview says that that has the power controls the situation Several months ago permission was sought tean government very freely consented.

Standard Oil company refuses to give more a question of coal and a question of tection of steamers loading or unloading. additional evidence before Judge Landis dollars. So far as leaving the Atlantic The iron clad Plethein is patrolling the and the court fixes August 3 as the date coast unprotected by the transfer of the river Meuse, the iron clad Reinier Klaezen

ceremony will be in sponed. Sensational developments are expected.

CHINESE GOVERNOR KILLED Student Fires Upon Head of Province of Nganhwei and Suffers In-

several shots were fired at the governor, three bullets inflicting mortal injuries. The director of police seized the assassin and decapitated him on the spot. No further

cruisers Chitose and Tsukuba, lying off ROYALTY TO VISIT IRELAND Loo palace today. The Japanese minister King Edward and Queen Alexandra to Make Second Trip Since Accession.

LONDON, July 8.-King Edward and foundation stone of the University of North Wales. The royal yacht is awaiting the offense, but only for the defense of our royal party at Holy Head and will convey them to Kingstown, where the king and queen will arrive July 10. One of the special objects of the king's present trip is to visit the Dublin exposition.

ISHII IS SENT TO AMERICA Japanese Director of Commercial Bureau Will Study American Canditions.

Strike Imminent at Cobalt. COBALT. Ont., July &-A strike of min-

The big vessel heeled over with the weight quit work. The grievances are principally

General Strike in Italian City. BRESCIA, Italy, July 7 .- As the result Gartbaldi day, the Labor exchange has of them. The situation is serious.

Chamberiain Celebrates Birthday. BIRMINGHAM, England, July 4 .- Joseph Chamberlain today celebrated his 71st birthday with his family at Highbury, his ostate near this city. A constant stream of He has been well enough lately to receive some of his political friends.

Pope to Receive Boone Woman. BOONE, Ia., July &-(Special Telegram.) -Miss Grace Pearl Mess of Boone, new touring Hurope with a party of Des Moines in the already complicated litigation in- friends, will be received in audience by the pope on Sunday, July 28, in Rome

Proportional Rate Dates Back to the Origin of Shipment.

Interstate Commerce Commission Supports the Contention of the Omaha Exchange in Its Controversy with Roads.

The Omaha Grain exchange is proclaiming victory over the railroads on a point of contention regarding the application of of Omaha. A letter just received from Franklin K. Lane of the Interstate Comerce commission is construed as meaning that the exchange is in the right. The ratironds must now either yield or be enjoined by the exchange

An advance in proportionals went into effect July 1. On that date there was in as a result the tolls on messages between Mayor Schmitz of San Francisco sen- not think it likely that this country will lier with the ships to keep them in coal. had arrived from Nebraska points and raised about 5 cents per message of ten To relieve the navy of this trouble it is also a large quantity of grain in tran- words; also that the effect of the alleged now proposed to anchor a hulk in Magdal- sit from Nebraska points to Omaha, all combination has been to increase the rates lena bay which can be kept filled with coal destined to points cast. The railroads re- on messages between this city and other by some contractor from his coast schoon- fused to allow this grain to move out of cities throughout the country, in many in- Schmitz, convicted of extortion, was today ers and thus serve as a base for the sup- Omaha under the old proportionals, while stances 10 per cent over the rates previously ply for the American shipping when they the exchange contended it ought to do so. The exchange addressed a letter to the thus to station the coal hulk and the Mex. In and on July 8 received answer. The lish at various places in the state common two letters follow:

in the second thing. Naval officers now say they have no definite information of the time of the transfer and it may be long delayed.

Fiftieth season of the National Teachers' Page 1

Fiftieth season of the National Teachers' Page 2

Representatives of the National Civic Federation present reports of their investigations made abroad on municipal ownership.

New York's attorney general applies for a referee to take testimony in investigations are free to take testimony in investigations of the big telegraph companies.

Page 1

New York's attorney general applies for a referee to take testimony in investigations made abroad on functional to the control for the sea they would have to give them on the sea they would have to give them to fine the control for the first of the time of the transfer and it may be long delayed.

Federation present reports of their investigations made abroad on municipal to womership.

New York's attorney general applies for a referee to take testimony in investigation made and the Max a

Contention of the Exchange.

Applies to the Grain. We submit that the isinguage of this decision applies clearly and unmistakably to the movement of grain in and out of Omaha and that it necessarily follows, from the reasoning of your honorable body in the sugar case, that a proportional tariff on grain, which is made effective on July 1, cannot be applied as a proportion of a through rate which was used to bill the shipment "in" at a date before.

Chreful about the lettering and hunted up the exploded flashlight after flashlight until the court room was so filled with smoke that it became stiffing.

AUTO ACCIDENT IN ST. PAUL

Two Men Probably Fatally Hurt

When Machine Tumbles Over

When Machine Tumbles Over

Half a dozen times Judge Dunne was inbill the shipment "in" at a date before that tariff became effective. In support

privileges obtaining as to any factor in such combination rate for through ship-ment at the time of initial shipment upon ment at the time of initial shipment upon such combination through rate must be adhered to and cannot be varied as to that shipment during the period of transportation of such shipment to its final destination. A local or proportionate rate "in cannot be absorbed, diminished or affected went over the edge of a bluff, relling over cannot be absorbed, diminished or affected and over nearly 200 feet to the edge of the We will appreciate it very much if your

onorable body will advise us whether our ontentions with reference to the applicaion of your decisions are correct, and what proceedings are necessary to protect our rights, in case the railroads refuse to apply the proportional rate now in effect from Omaha for the completion of the haul upon business that originated in the COUNTRY PRIOR to July 1. Respectfully, OMAHA GRAIN EXCHANGE. E. Bruce, Chairman Transportation cittee, and E. J. McVann, Secre-

Answer of the Commission.

the opinion of the commission in the matter of through rates where through routes have been established is herein inclosed. This opinion seems to be entirely clear and plain and its application to any particular case depends only upon the facts presented in depends only upon the facts presented in such case. Proportional rates, after all, are but the separately established charges of carriers

separately established charges of carriers applicable to through business imposed by carriers which have joined in a through route without a joint rate. This being so, ortional rates take effect as of the date of origin of shipment over the through route. If a shipment from your town to the east is not entitled to the proportional as of the date of its origin, then it is not entitled upon the local rate.

1 cannot pass upon the facts in any case, nor determine the nature of any particular

arge of more than the legal rate is a iminal offense both on the part of the reporation and on the part of the officer agent of such corporation making such arge. Very truly yours, FRANKLIN K. LANE, Commissioner.

Statement of Local Committee. The trunsportation committee of the Grain exchange gave out this statement Monday:

"It seems clear that the old proportional

July 1st, must be applied to all grain for which back billing can be furnished bearof the arrest of a tramp for insulting the ing a date prior to July 1st. Some of the voted a general strike, which has been ef- to such a rate, but their own tariffs congive transit inspection bureau is maintained here by the railroads to see that no bustness is billed on the proportional except WILL GO INTO CASE IN FALL the business designated. No matter whether the grain is billed in on local rates or any other rates, if it is carried out under these telegraphic and postal congratulations tariffs, they become, by implication, part poured in from all parts of the country, of a through rate, as to that business, and, under the decision of the commission, the date of the origin of the shipments under the first billing, determines what rate ap-

(Continued on Page Two.)

Application Made for Referee to Take Testimony About Alleged Trust Pact.

NEW YORK, July 8 .- Attorney General William S. Jackson today made applica-JULY RISE NOT YET EFFECTIVE tion to Justice Platzek of the supreme court of New York county for the appointment of a referee to take testimony of the attorney general's allegation that the Postal Telegraph and Cable company and the Court Room at Once Cleared by Western Union Telegraph company have formed a combination to increase rates of telegraph service in this and other states. He declared that he was about to begin action to restrain this alleged combination and asked that George J. Gould, Jacob Schiff, Morris K. Jessup, E. H. Harriman, Mayor Objects to Lecture from the the new proportional rates on grain out Clarence Mackay, Robert C. Clowry and many others of both companies be ordered to testify before the referee as to the ex-

istence of the alleged combination. The action of the attorney general will be under a state anti-trust law of 1899. He alleges that the combination he seeks to break was made last January and that Omaha a large quantity of grain which New York and points in this state were existing.

The attorney general charges also that the two companies have agreed to estab- from the hundreds of persons who crowded offices and to divide the profits and business received at these offices. He declares that when this was done in certain New to divide the gross proceeds of the business equally.

SIOUX DEDICATE MONUMENT Commemorate Signing of Treaty with the United States In 1858.

YANKTON, S. D., July 8 .- (Special.)-At Yankton agency this week a monument of much historic interest was erected the Yankton tribe of Sloux, who formerly lived on this townsite, once the home of Chief Struck by the Bee and his braves. For a particular point of coal and a question of steamers localing or unlocation of the steamers location of steamers localing or unlocation of steamers local trunction of an unlocation of steamers localing or unlocation of steamers location or unlocation of steamers localing or unlocation of steamers location or steamers location or unlocation of steamers location or unlocation of steamers location or unlocation of steamers location or unlocation or unlocatio The inscription, which tells the story, is

careful about the lettering and hunted up

Bluff.

Mrs. Nichols and J. H. Smith and wife, portunity for further humiliation by the While driving along Summit avenue the reporting of his remarks in the press. Once, any 'out' rate not in effect at the time and over nearly 200 feet to the edge of the opertional rate." car were so seriously hurt that they were taken to a hospital, where it is said Nichols and Williams will probably die. KEYPORT, N. J., July 7.-Christopher

Horandt, a wealthy silk manufacturer of Paterson, was killed and other members of his family injured when a locomotive struck and demolished an automobile in which the party was returning home from Asbury Park late today. The accident happened at the stone road crossing on the Atlantic Highlands division of the New WASHINGTON, July 8, 1907.—Omaha Jersey Central railroad. With Horandt Grain Exchange, Omaha, Neb.: This is to acknowledge receipt of your letter of June & relative to proportional rates on grain from Omaha to eastern markets. A copy of the comprised of the comprisator in the relative to the rel were thrown from the machine. Binder's skull was fractured and his condition is serious. Ruth Horandt escaped with a posed of some matters preliminary to the sprained wrist and bruises, while her mother suffered from shock.

ELLISON FIRED FROM OFFICE Mayor McClellan Removes Corporation Counsel of New York from Place.

NEW YORK, July 8.-Mayor McClellan removed William B. Ellison, the corporate counsel, from office today, giving as his reason that he did not have that full confidence in the corporation counsel which the interest of the city demanded. If any carrier charges a different rate from the legal rate on any shipment the existed between the mayor and Mr. Ellishipper may bring suit for reparation. Also, carriers threatening to charge more than the legal rates may be restrained by injunction. It may be added that an interitonal charge of more than the legal rate is a been reached whereby peace had been reached the mayor of them has been tried the corporation counsel the four extortion cases would be pressed or not, "but," he concluded, "the counsel has no objection to the passing of sentence at this time."

"Under ordinary circumstances," said the legal rate is a been reached whereby peace had been reached the passing of them has been tried, the contract of the city demanded. It is a confidence in the corporation counsel the four extortion cases would be pressed or not, "but," he concluded, "the counsel has no objection to the passing of sentence at this time."

"Under ordinary circumstances," said the four extortion cases would be pressed to not, "but," he concluded, "the counsel has no objection to the passing of sentence at this time." been reached whereby peace had been res- only one of them has been tried, the tored between Mayor McClellan and the Tammany organization. Mayor McClel- it would be very practicable to pronounce lan decied that any compact had been judgment upon the first conviction. But if

BARNES AUTHORIZES Supreme Judge Instructs Lawyer to Bring Suit Against O'Neill rate on grain, which was in effect prior to Editor.

NORFOLK, Neb., July &-(Special Tele-Italian flag during the military parade on railroads have claimed that the shipments authorized his attorney, Burt Mapes, to gram.)-Supreme Judge J. B. Barnes has must be through shipments to be entitled commence suit against George A. Miles, edi- the dramatic moments that followed did tor of the O'Neill Independent, for criminal fectively carried out. The town is with- tradict this. The tariffe clearly read that | libet. The basis of the suit is found in an out lights and the troops have been forced the rates contained therein are applicable article which appeared in the Independent to charge the manifestants, wounding many enly upon business originating 'beyond' or last week in which charges are said to be west of the Missouri river, and an expen- made against the character of Judge Bigrnes.

Justice McCull Refuses to Take Senndulous Matter from Gould Petition.

NEW YORK, July &-Justice McCall, in the supreme court today, denied the spplies on the business. If the members of plication of counsel for Howard Goods. the exchange are refused the application of to strike from Mrs. Gould's complaint cor- the motion, therefore it is denied," said the exchange are trusted in the ex-the proper rates, it is probable that the ex-change will enjoin the railroads, but it is tion to expunge certain irrelavant matters. A mo-tion to expunge certain irrelavant matters. Mr. Pairall excepted to the ruling and

Sentence Pronounced on Mayor Schmitz by Judge Dunne.

GREETED WITH LOUD CHEERS

Deputies.

SCHMITZ INTERRUPTS JUDGE

Bench.

STATUS OF THE OTHER CASES

District Attorney Langdon is Unabla to Say When They Will Be Called for Trial.

SAN FRANCISCO, July 8.-Mayor Eugene sentenced to five years in the penitentiary. When the sentence was pronounced there was a remarkable outburst of applause Judge Dunne's court room.

Judge Dunne sentenced Mayor Schmitz to imprisonment in San Quentin penitentiary. Sentence today followed the recent convic-York hotels the telegraph companies agreed tion of Schmitz for extorting \$1.175 from French restaurant keepers of San Fran-

As the last words of the sentence fell from the judge's lips the great crowd that had stood throughout the dramatic scene sent up a thunderous cheer.

"Good for you." shouted a man in the back of the room. His ejaculation was echoed and re-echoed by one after another of the spectators. Several threw their hats into the air. Others scrambled upon chairs to look over the shoulders of the crowd. The greatest confusion prevailed.

Attorney Fairall of the defense, raising his voice above the din, called out to Judge

who exploded fashlight after flashlight un-

Half a dozen times Judge Dunne was in-ST. PAUL, July 7.-Dr. J. H. Nichols and terrupted by Schmitz, who protested in replying to the prisoner, Judge Dunne said: "Such brazen effrontery was probably no more than should be expected and it was the duty of the court to bear it in pa-

At another time Attorney Metson, of the defense, interposed a vigorous objection in support of his client, "to the court's lec-

ture. Judge Dunne's reply was that Mr. Metson, instead of interrupting the proceedings, ought to be given a day in court to answer the charge that he had attempted to tamper with the jury which convicted

Schmitz. Metson, restraining himself, calmly answered in the same spirit, saying that he was ready to answer to any charge that was made against him. Judge Dunne warned Metson that another interruption would provoke a jail sentence for con-

When Judge Dunne, after having distrial of other bribery graft cases, called from the calendar: "The people against Eugene E. Schmitz."

tempt.

District Attorney Langdon and Attorney Fairall answered in unison "ready." Judge Dunne inquired of Mr. Langdon

whether it was his present intention to proceed with the trial of the other four extortion cases against Schmitz. The district attorney replied that there were many other graft cases on the calendar and that he was unable to say at this time whether the four extortion cases would be pressed

others remaining open for trial, I think the district attorney has, as he says, no objection to the imposition of judgment at this time I shall, of course, pass sen-

tence. Eugene E. Schmitz, stand up. Schmitz Obeys the Court.

The long, black-bearded prisoner arose at the counsel table. His face was the color of ivory; his lips were pressed tightly together. He bent his eyes in a piercing glance on the judge and never once during he drop them. His shoulders were thrown

well back and he held his head high. "Eugene E. Schmitz," said Judge Dunne, after reciting the facts of his trial and con-

viction, "have you any cause to show why judgment should not be passed?" We have," responded Attorney Fairall, and as he arose to move for a new trial the mayor sat down.

Mr. Fatrall read briefly six grounds upon which a new trial should be granted. The motion was promptly denied after District Attorney Langdon had replied, after a word of inquiry from the court, that in the eyes of the prosecution the grounds urged were wholly insufficient. "The court does not deem that there is any merit in