

AFTERNINE HOURLAW

New Haven Road Files Suit Attacking New Statute.

ALLEGED THAT ACT IS VOID

Complaint Asks Injunction Against Commerce Commission.

SAYS IT IS WITHOUT AUTHORITY

Charge that Order Calling for Reports is Unlawful.

CASE SET FOR NEXT MONTH

Writ is Made Returnable First Monday in September—Bill Filed in United States Circuit Court.

HARTFORD, Conn., July 31.—The New York, New Haven & Hartford Railroad company has filed a complaint in the United States circuit court here against the Interstate Commerce commission, attacking the law passed by the last congress, entitled "An Act to Promote the Safety of Employes and Travelers on Railroads by Limiting the Hours of Service of Employes Thereon."

The complaint charges that neither by the act of March 4, 1907, nor any other act of the congress of the United States, has the Interstate Commerce commission been invested with authority and power to require the making by the orator or any other carrier—reports of the character called for and in consequence of such want of power and authority the said order of the commission is not a lawful order.

The New Haven company asks for an order calling upon the defendant to appear and show cause why the relief asked for should not be granted and also for an order setting aside and nullifying the order of the commission and perpetually enjoining it from any action or proceedings thereon. The writ is made returnable in circuit court the first Monday in September.

BOMB UNDER ITALIAN BANK

Explosion in New York Believed to Be Work of Black Hand Organization.

NEW YORK, July 31.—Bomb throwers last night attempted to wreck the banking house of Salvatore D. Auria in Newark. They did not succeed, but managed to blow up the big stone stoop leading to the bank. The explosion also blew out the plate glass in the window of Dominick Dilling in the basement beneath it.

There was a panic among the five clerks in the bank, two of them were women. The explosion was heard at the second precinct station, three blocks away and the reserves ran out. They learned that two men had been seen to throw something with a light on the end of it under the bank's steps a few minutes before the explosion occurred. Citizens who saw it believed it was a cigar, but the police are satisfied it was a bomb with a burning fuse.

Auria, the banker and his brother-in-law, Eunuch, who lives in the adjoining house, have been recently receiving threatening black hand letters and have called the attention of the police to it. It is believed that the attempt to wreck the bank is the outcome of their refusal to meet the demands of the blackmailers.

DEFENSE OF NORTHERN PACIFIC

Comptroller Gray Says Profits of Reorganizers Were Only Three and Half Millions.

ST. PAUL, July 31.—The cross-examination of H. A. Gray, comptroller of the Northern Pacific railway, was continued today at the Minnesota state hearing. Mr. Gray testified that in the issue of new stocks and bonds for the reorganization of 1906, no actual valuation of the property or its equipment was made.

In opening the books of the company it was necessary to assume a valuation, testified Mr. Gray. Since the company had issued to the old bondholders bonds of greater face value at a lower rate of interest than those which they surrendered and given them along with these bonds preferred stock, the total amount of which greatly exceeded the amount of old bonds necessary that these accounts balance. The net result was that the valuation taken by the company was \$100,000,000 greater than before the reorganization. On this assumption the property of the company without equipment was placed at \$200,000,000, and the equipment at \$100,000,000. The aggregate amounted to \$300,000,000. The attorneys for the state allowed for both errors and the paragraphs were stricken from the statement.

The allowance for these two errors has no bearing on the amount of profit received by the syndicate under the terms of the reorganization. The attorneys for the company admit that the syndicate received the common stock shares of the company worth \$19,723,000.

They maintain, however, that the syndicate paid \$15 per share for the stock and \$10 for the preferred stock, after holding it for some time, making a profit of only \$1 per share or about \$2,500,000, and that the syndicate also received 20,000 shares of preferred stock, which was then worth \$60, making the total profits of the syndicate about \$3,500,000. The Northern Pacific case was then adjourned until August 17. Next Monday the Minneapolis & St. Louis case will begin.

HAZEL DREW KILLED BY BLOW

Coroner's Jury at Troy, N. Y., Returns Verdict of Violent

TROY, N. Y., July 31.—Coroner Stroppe today made public his findings as the result of the inquest into the death of Hazel I. Drew, whose body was found in Teal pond on July 17. The finding is that death was caused by "extravasation of blood in the dura mater, caused by a blow on the head from some blunt instrument in some manner unknown."

The chief of the detective bureau says there are still clues that have not been fully followed out, and he is hopeful of results.

SUMMARY OF THE BEE

Saturday, August 1, 1908.

1908 August 1908

2 5 6 7 8

9 10 11 12 13 14 15

16 17 18 19 20 21 22

23 24 25 26 27 28 29

FOR NEBRASKA—Generally fair and warmer Saturday.

FOR IOWA—Generally fair; warmer Saturday in west.

Temperature at Omaha:

Hour. Deg. F.

5 a. m. 61

6 a. m. 62

7 a. m. 63

8 a. m. 65

9 a. m. 68

10 a. m. 71

11 a. m. 75

12 m. 78

1 p. m. 78

2 p. m. 78

3 p. m. 81

4 p. m. 81

5 p. m. 81

6 p. m. 81

7 p. m. 81

8 p. m. 81

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11 p. m. 81

DEMOCRATS AGAINST NEGRO

Bryanites in West Virginia Adopt a Disfranchisement Plank.

NO VOTE FOR THE COLORED MAN

Extension of Franchise to Negroes Decried as a Crime by the White Men Who Support Bryan.

CHARLESTON, W. Va., July 30.—After an all night session the democrats of West Virginia, in convention, nominated Lewis Bennet of Lewis county as governor at 4 o'clock this morning. The convention has struggled for hours over the only two planks in the platform that were not unanimously provided. These two planks were the negro disfranchisement and "Jim Crow" planks, which, after the resolutions committee had reported them favorably, were made a part of the platform amid scenes of wild excitement this afternoon. The text of the negro disfranchisement plank is as follows:

Believing that the extension of the elective franchise to a race inferior in intelligence and without the moral and social and prudent exercise of a privilege so vital to the maintenance of good government was a mistake, it is the policy of the republican party during the reign of passion and prejudice following the civil war for political ends and purposes, we declare that the democratic party is in favor of so amending the constitution as to preserve the purity of the ballot and the electoral college of the state from the evil resulting from extending the franchise to the colored race, and we are opposed to any amendment upon those who are unfitted to appreciate its importance as it affects the stability and preservation of good government.

We favor the enactment of a law requiring common carriers engaged in passenger traffic to furnish separate coaches or compartments for white and colored passengers.

The following is the state ticket as nominated by the convention:

Governor, Louis Bennet, Lewis county.

Secretary of State, Adam B. Littlepage, Kanawha county.

State auditor, Oscar Jenkin, Wood county.

Superintendent of free schools, I. B. Bush, Summers county.

J. A. Miller of Ohio county was nominated for treasurer on the fifth ballot at 1:50 o'clock this morning.

After completing his ticket by naming E. H. Morton of Webster county, for attorney general, and Howard Llewellyn Swisher of Monongalia and Bruce McDonald of Logan, for presidential electors, the convention adjourned sine die at 5 o'clock. Just before adjournment, a resolution was adopted providing for the future of the members of a national committee chosen by the convention that elects delegates-at-large and not by the delegates as in the past. The present national committee man, John T. McGraw, seconded the resolution, which was then adopted unanimously.

PROGRAM FOR BRYAN DAY

Notification Ceremonies at Capitol Will Be Strictly Nonpartisan.

PAIDNEY, LINCOLN, Neb., July 31.—The celebration August 1st attending the nomination of William J. Bryan of his nomination for the presidency will be strictly nonpartisan. This decision was arrived at after a conference of Mayor Brown, National Committeeman Hall, Governor Shelton and a committee of citizens of Lincoln. It has been decided that there will be no parade of marching clubs. Invitations will be at once extended to all state and county officers of Nebraska and adjoining states, and to citizens generally to attend the notification.

The program as completed is as follows: 8 a. m.—Dinner at the forty-six guns by Colonel Malone's battery.

10 a. m.—Band concert in capitol grounds and government square.

12 m.—Luncheon to the notification committee, Mr. Bryan and Mr. Kern at the Lincoln hotel.

1:30 p. m.—Committee accompanied by Messrs. Bryan and Kern to the capitol grounds, where the Nebraska state band escorted in carriages to the capitol grounds.

2 p. m.—Formal notification, capitol grounds.

4 p. m.—Informal reception by Mr. Bryan in the state capitol building.

8:30 p. m.—Dinner by Mr. Bryan to the notification committee at Fairview on the lawn.

Mr. Bryan was up very early this morning continuing the preparation of his speech of acceptance, and it is his intention to have it completed by August 1. A visitor asked him today what he thought of the proposition to adopt the tiger as a democratic emblem instead of the donkey. "I want first to see the mule that is coming to me from Minnesota," said Mr. Bryan laughingly, "before I discuss any trade."

PROTESTS ON MORE CANDIDATES

Two Additional Claims Filed Against Demo-Pop Electors.

LINCOLN, Neb., July 31.—(Special Telegram)—Victor Rosewater, editor of the State, and national committeeman for Nebraska, has filed protests against R. N. Watake of the First district and E. O. Weber of the Fourth district, who have filed as candidates for demo-pop electors. The protests are similar to those filed against other such candidates.

Two ARE HELD IN GOULD CASE

Mrs. Teal and Private Detective Must Go Before Grand Jury.

NEW YORK, July 31.—Mrs. Benjamin Teal, wife of a stage manager, and Harry Mousley, a private detective, were each held in \$5,000 bail today to await the action of the grand jury on charges against them of attempting subornation of perjury in trying to prepare testimony to be used in the divorce proceedings brought by Mrs. Frank J. Gould, Miss Julia Fleming, a seamstress, who is also accused of having conspired to obtain false evidence against Gould yesterday. One number of five had broken out, and always just after the Stringer boy had been seen about the building.

The boy made a complete confession late last night and after being led back to his cell started a fire in the jail.

Arrangements for State Fair.

HURON, S. D., July 31.—(Special)—Committees on the necessary arrangements for the South Dakota State fair, September 7 to 12, have been appointed by the Commercial club of this city. Large crowds are expected to be present, and will be comfortably taken care of. Free street attractions of the highest class will be offered every evening, and the main streets and crossings will be well lighted by arches of incandescent lights.

EXPLOSION WRECKS A TOWN

Every Building Damaged and Several Persons Injured, Causing Loss of \$200,000.

WILMINGTON, July 31.—At the mining town of Safford, Okla., last night 100 kegs of powder in a powder house exploded, nearly every building in the town being wrecked and several persons were seriously hurt. Several persons were blown out of their houses, but not seriously hurt. The cause of the explosion is not known. The damage aggregates \$200,000.

Lord Roberts Prostrated

Field Marshal Succumbs to Heat and Much Alarm is Felt Over His Condition.

MONTREAL, July 31.—Considerable consternation has been caused by the announcement that Field Marshal Lord Roberts of Kandahar has been prostrated by the heat and that all engagements for today have been called off, although if it is possible it is announced that he may attend the garden party to be held in his honor this evening.

CASTLEVILLE, Mo., July 31.—After starting several fires, one which destroyed the livery stable of R. D. Moore, and after trying to ignite the clothing of Mrs. William Sims, Elias Stringer, 18 years old, was arrested yesterday. A number of fires had broken out, and always just after the Stringer boy had been seen about the building.

The boy made a complete confession late last night and after being led back to his cell started a fire in the jail.

CASTRO DEMANDS APOLOGY

Failure to Salute Venezuelan Flag and Attack on Consul Held Insulting.

CARACAS, Venezuela, Wednesday, July 30.—President Castro has withdrawn the ex-equators of The Netherlands consuls and vice consuls in Venezuela.

Foreign Minister Paul today transmitted a note to The Netherlands government in which he recited what he terms the insults to Venezuela. He says:

"In view of the gravity of events Venezuela is forced to advise Holland that it cannot continue friendly relations until Holland gives satisfaction for the injuries and insults put upon Venezuela. These injuries and insults are the offense of Minister De Rous, the fact that The Netherlands cruiser Gelderland failed to salute the Venezuelan flag and the attack on the Venezuelan consul at Willemstad, Curacao, the violation of the consulate and desecration of the consular shield."

WASHINGTON, July 31.—Captain Maxwell of the gunboat Marietta, which has been ordered from Pinar del Rio, Cuba, Honduras, has been directed to investigate the circumstances leading up to the cancellation of the exequatur of the American and other consuls at that place by President Davila, and also to afford protection and refuge aboard his vessel for them if this should become necessary.

TIPPERY WELCOMES HAYES

Thousands Greet Marathon Victor at Home of His Grandfather.

DUBLIN, July 31.—John J. Hayes, the New Yorker who won the Marathon race, was given a popular welcome when he arrived last night at Nenagh, Tipperary, the home of his grandfather. The platform of the railroad station was crowded with several thousand people, and when the train drew in the athlete was greeted by the town officials. He was then seized by his admirers and carried shoulder high to his carriage to an accompaniment of cheers and the discharge of innumerable fireworks.

The horses were removed from the carriage, which was pulled triumphantly by the crowd through the streets to Nenagh, the residence of the young man's grandfather.

Lawson Robertson, the American sprinter, announced today that the American athletes, in spite of the instructions of the Irish-American Athletic club of New York, that they are in honor bound to compete as agreed in the international athletic meet tomorrow, and consequently the full team will appear.

CRISIS IN FRENCH STRIKE

Government Will Try to Suppress Labor Federation and Bitter Fight Expected.

PARIS, July 31.—The rioting at Vieux la Ville yesterday has precipitated rather a serious situation owing to the decision of the government to arrest the leaders of the General Federation of Labor, who are now in the entire organization on the ground that it threatens public order. The reports in the press agree that at Vieux la Ville the agitators deliberately incited their men to provoke bloodshed and that the troops stationed before the houses in Vieux la Ville were in demand by the suppression of the General Federation of Labor as a revolutionary organization which is demoralizing the country and terrorizing the people.

The organization is expected to fight bitterly for its existence. During the night the city was paralyzed by the arrest of the counts who are called the "government's crime," calling for an extension and prolongation of the strike.

COUNT BONI GAINS POINT

Month Added to Time He Will Be Allowed Custody of Children.

PARIS, July 31.—Count Boni de Castellane was successful today in a supplementary move in his fight for the possession of his three children, who are now in the custody of the Princess de Sagan, their mother. The court granted the count the custody of the children for the month of August in addition to the month of September, to which he is entitled, under the divorce decree. This, the court did, because of the fact that Count Boni was deprived of the possibility of seeing the children while they were in the United States this year in the company of their mother.

OLD-AGE PENSION BILL A LAW

Both Houses of Parliament Pass Measure, Together with Irish Universities Bill.

LONDON, July 31.—The old age pensions bill passed the house of lords this afternoon in the form adopted by the House of Commons. The bill was sent back to the commons yesterday after a vote of 100 to 80 in favor of the amendment adopted by Lord Cromer and other members of the upper house. The lords also passed the Irish universities bill, so both measures are now laws.

MAY UNEARTH BIG SCANDAL

Investigation of Coolie Smuggling Said to Involve Immigration Officials.

SAN FRANCISCO, July 31.—Startling revelations which, it is estimated, may involve immigration officials at Pacific coast ports and along the Mexican border are expected to be the outcome of an investigation now being carried on by the federal government of the illegal entry of Chinese and Japanese coolies into this country.

Prof. Fernando Sanford of Stanford university, is also one of the men appointed by the president to investigate the immigration conditions. He has arrived here after months of work along the Mexican border and it is said that the report signed by Sanford and other investigators and forwarded to Washington makes interesting disclosures as to the number of coolies smuggled over the line. The various immigration commissions are now gathered here and looking into the matter locally. Prof. Sanford said yesterday that so far no information of importance had been obtained, but it is reported that a ring of coolie smugglers has been discovered, which includes some big merchants of Chinese descent in this country.

It has been carrying on a regular business of raising funds to aid in the smuggling operations.

COTTON CROP IS IMPROVING

Average Condition 83 Per Cent, Almost Twice Per Cent Better Than Month Ago.

WASHINGTON, July 31.—The average condition of cotton was 83 per cent on July 25 as against 31.2 a month ago and 7.2 a year ago today, according to the report of the Department of Agriculture given out today. The condition of July 25 of previous years was 82.9 in 1906, 74.9 in 1905 and 81.4 for the past ten years.

The condition of cotton on July 25 and the ten-year average in Missouri were 88 and 84, and in Oklahoma 66 and 65.

ARKANSAS GOVERNOR IS ILL

ST. JOSEPH, Mo., July 31.—Governor John S. Little of Arkansas has been placed in a sanitarium here. He has been suffering from a nervous breakdown almost ever since his election, which has developed acute melancholia. His condition is not encouraging.

AUTOISTS KILLED BY TRAIN

Two Well Known Philadelphia Men Meet Horrible Death.

WERE SPEEDING ACROSS TRACK

Engine Strikes Car in Center and Bodies of Victims Are Mangled by Wheels Beyond All Recognition.

PHILADELPHIA, July 31.—Driving their big touring car across the Reading railway tracks at Hunting Park avenue in the northern section of the city, late last night, Charles Humphreys, chief clerk in the bureau of police, and Harry B. Bromley, a prominent dealer in upholsterers' materials, were run down by the train and instantly killed.

Portions of their mangled bodies were scattered along the tracks for 30 yards and except for the contents of their pockets, identification would have been almost impossible. The machine, which was owned by Bromley, is a complete wreck.

Eye witnesses of the accident say they heard the tooting of an automobile horn rushing down the avenue. A train was about to pass and the safety gates were down, but whether the men in the automobile saw them will never be known. The car crashed through the gates just as the train reached the crossing.

The automobile was struck squarely in the middle and tossed in the air. Humphreys was thrown from the track and Bromley was thrown ahead of the train only to be run over again. The wheels crossed his neck severing his head from the body and cutting off a leg. Humphreys, when picked up, was dead. There was a large hole in his head and one leg was cut off.

Humphreys was one of the most popular attaches of the department of public safety, in which he had held a place under many administrations.

Fatal Accident in Chicago.

CHICAGO, July 31.—Carl Burton of Aurora, Ill., a student at the University of Chicago, was probably fatally injured in a collision between an automobile and a cab at Michigan avenue and Madison street early today. The automobile skidded as it struck the cab and the impact threw Burton out of the car. He suffered a severe wound on the forehead. The other occupants of the car were only slightly hurt. They were detained at the central police station.

T. P. Henderson, who was driving the car, has gained local notoriety as the central figure in an automobile "speed war" at Glencoe, a northshore suburb. He was cited to appear in court in Glencoe today on a charge of speeding. Three weeks ago a young woman riding in Henderson's car was shot by a Glencoe constable who was endeavoring to arrest Henderson for speeding.

SOLDIERS AND NEGROES CLASH

Race War Narrowly Averted at State Encampment of Delaware Guard.

REHOBOTH, Del., July 31.—State militiamen encamped near here and a crowd of negroes of the vicinity, engaged in a riot last night in which one man sustained a fractured skull and may not survive, and more than a score of others were injured.

The trouble began when some of the members of company H, First Delaware regiment of Newcastle, were standing around a merry-go-round. There were some words between colored by-standers and the soldiers, and one of the colored men hurled a brick, which struck a private on the head, fracturing his skull.

Instantly the soldiers, taking their arms, began pursuing every colored man who could find. The colored people sought refuge under porches, on top of roofs and even in trees, while the enraged soldiers sought high and low for them, intent on vengeance for their injured comrade.

Governor Lea, who is in camp, upon learning of the disturbance, took active means to quell it. He sent a detachment of fifty soldiers to arrest the man who threw the brick and then dispatched officers to pacify the enraged soldiers. Finally quiet was restored, but not until more than a score of persons had been injured.

One of the men who threw the brick has not yet been captured. Some of the soldiers may be arrested.

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STRIKE ORDER IS EXPECTED

President Truesdale at Lackawanna Refuses Conference to Compromise Switchmen.

SCRANTON, Pa., July 31.—President Truesdale today refused the switchmen's request for a conference on the troubles on the Buffalo division of the Delaware, Lackawanna & Western railroad. Grand Master Hawley of the Switchmen's union said afterwards that a strike declaration seems inevitable.

After receiving President Truesdale's refusal, the grievance board went into executive session to discuss the propriety of bringing in outside influences to avert a strike. This is the first time President Truesdale has refused to meet a committee of the road's employes and his answer has cast gloom over the committee who were confident that he would meet with them and listen to their side of the dispute.

Asked when a formal strike order would be issued, Mr. Hawley replied that it will not come today. He admitted there are small hopes of avoiding one.

NEW YORK, July 31.—The cloakmakers, it is announced, are preparing for their candidate for another term. When Mr. President Abraham Rosenberg of the International Women Garment Workers' union, with which the cloakmakers union is affiliated, says that the strike will affect from 25,000 to 30,000 workers, including about 15,000 women.

"Last year," he said, "they were earning from \$18 to \$20 a week and now they are making from \$7 to \$8 a week. Some of them are making far less, and the women average \$3 and \$4 a week. About 65 per cent of the cloakmakers are working, some on whole and some on part time."

HASTINGS OFFICIAL MISSING

At the Same Time Niece Disappears and Omaha Police Are Notified.

HASTINGS, Neb., July 31.—(Special Telegram)—Assistant City Electrician G. Fellers and Goldie Alexander, his wife, disappeared last night and it is believed they have gone to Omaha. A couple answering the description of Miss Alexander and G. Feller boarded a lively automobile at the outskirts of the city last night and were taken to Chapman, where they registered at a hotel as husband and wife. This morning the boarded an east bound Union Pacific train, presumably with the intention of going to Omaha.

Mrs. Cecelia Alexander, mother of the girl, has asked the Omaha police to arrest them.

G. Fellers and Mrs. Alexander's sister, who married two years ago, it was recently noticed that G. Fellers displayed an affection for Miss Goldie, who is 18. He left a note at his home yesterday afternoon saying that he was going away and that he knew where Goldie could be found.

The Omaha police were notified Thursday night by a telegram from Hastings to watch for the couple