

### SENATOR AND THE ATTORNEY CLASH

Mr. Nelson Accuses Mr. Pinchot's Lawyer with Trifling with Committee and Letter Resents It.

### DAVIS IS STILL ON STAND

Chief Engineer Contradicts More Statements of Mr. Ballinger.

### "BLACK TENT" AFFAIR COMES UP

Lecture Tour of Purchasing Agent Perkins is Discussed.

### CHARGE OF GRAFT MADE

Witness Says Mr. Perkins Was Paid \$500 a Month by Harriman Lines and that He Routed Materials Over Their Roads.

WASHINGTON, March 12.—A sharp clash occurred between Senator Nelson, chairman of the Ballinger-Pinchot committee, and Attorney Pepper, counsel for Gifford Pinchot, near the close of today's session of the inquiry, when Mr. Nelson accused the lawyer of "trifling" with the committee.

While with anger, Mr. Pepper demanded to know if that was the judgment of the committee and several members exclaimed, "let it pass," he said a reflection, which he resented, had been cast upon him and he questioned the senator's right to make such an accusation.

Mr. Pepper was referring to several letters in the record in an endeavor to have Chief Engineer Davis of the reclamation service, who was on the stand, refute several statements attributed to Secretary Ballinger to the effect that restorations of certain lands in the west drawn under Secretary Ballinger, had been made on recommendation of the reclamation service. Chairman Nelson thought it was a waste of time to go over ground already covered and objected to the reading of the letters. In each instance in which the question was put, the witness replied that Mr. Ballinger had made a misstatement.

Statements Versus Facts.  
"Now I have come to the point I was after," said Attorney Pepper. "At the conclusion of your direct examination this morning you said: 'I want it understood that I do not wish to insinuate in anything that I have said that Secretary Ballinger intentionally or consciously done a wrong act. I do not believe he has.' Will you explain your statement more fully?"

Mr. Davis said he merely meant to disclaim any intimation that Mr. Ballinger had done wrong. He referred only to his acts, he contended, and not his statements, for many of them were wrong. He did not indicate whether he thought Mr. Ballinger had "intentionally or consciously" made a misstatement.

Mr. Davis concluded his testimony before the committee today and was excused at the end of the afternoon session. He flatly contradicted Secretary Ballinger in several statements and said the two did not agree on many reclamation matters, although both had been, and he hoped still were, good friends.

Purchasing Agent Perkins.  
The so-called "black tent" affair figured conspicuously in Mr. Davis' testimony. He said that E. T. Perkins, purchasing agent for the reclamation service at Chicago, went through the west lecturing in a black tent to advertise reclamation work under orders of Secretary Ballinger. The officials of the service were subsequently informed, he said, that Perkins was getting an allowance of \$30 a month from the Harriman lines in addition to his \$3,000 salary.

Mr. Davis said Perkins proved his fidelity to the Harriman lines by shipping 50 per cent of material from Chicago to Mesa, Ariz., where the reclamation service has been engaged in a project, by way of their lines, which made the longest and most expensive route.

The committee will be in session next Friday and Saturday. It is expected that Director Newell of the reclamation service will be called as the next witness.

Cut in Reclamation Salaries.  
When the hearing was resumed this morning, Mr. Davis was still under direct examination and he was questioned further as to interviews with Secretary Ballinger. He declared that the head of the Interior department had continued constantly to criticize the reclamation service and that within the last week had told the witness he thought the salaries paid in the service were too high and that he proposed a new salary scale. Mr. Davis said the rumor had persisted that Director Newell was slated to go.

The witness referred further to the enmity against the service in some communities in the west and that he had endeavored to show that much of the dissatisfaction was due to the fact that on some projects the original estimate of the cost of water had been increased from \$20 to a final charge of \$30 an acre. Mr. Davis admitted that this "might" be the cause of some of the dissatisfaction.

Mr. Davis continued to contradict statements made by Secretary Ballinger, referring to a letter in which Secretary Ballinger had stated that he had ordered certain words on a sign at Toluca, Mont., painted out. Mr. Davis declared that no such orders had been issued and that the words had never been erased.

When his direct examination had been concluded and he was being questioned by members of the committee Mr. Davis suddenly remarked:  
"I want it understood that I do not wish to insinuate in anything that I have said that Secretary Ballinger has intentionally or consciously done a wrong act. I do not believe he has."

The witness thought it decidedly "bad trick" for Perkins to lecture on the beauties of Southern California and Arizona when he was in Minnesota. He also thought the taking of Perkins away from his regular work was a subject for criticism.

Not the Same Instance.  
Mr. Virtrees read into the record a letter written by Director Maxwell on July 11 to Senator LaFollette, in which Mr. Newell said he had recommended to Secretary Ballinger that certain lands withdrawn under the Garfield administration be restored slowly, as not to attract public attention. He sought to draw from the witness the admission that it was upon this recommendation that Mr. Ballinger had instructed him to withdraw lands

### Iowa Senators Talk Political Situation at Home

Cummins and Dolliver to Meet Alleged Attempts to Discredit Them with Their Constituencies.

### WASHINGTON, March 12.—Senators Cummins and Dolliver were in conference for more than an hour today, relative to the political situation in Iowa as affected by the recent Des Moines conference of administration republicans.

The announced purpose of the Des Moines meeting was to arrange a campaign in the interest of the administration. The Iowa senators interpret this to mean that there is to be systematic effort to discredit them in the state and especially before the next state republican convention, which will be held some time during the summer.

They understand that from this time forth the state is to be canvassed with the end in view of nominating delegates to the convention who will be willing to censure them for their course in the senate. They have antagonized the administration not only on the tariff, but on the postal savings bank bill and their course has been disapproved by some of their constituents.

"We are ready to meet the issue," said Senator Cummins today after his talk with his colleague. "We cannot, of course, leave our duties here at the present, but we do not doubt that our friends will take care of our interests. Of course, we deprecate the effect of the conflict upon the party, but so far as our personal interests are concerned we could have hoped for nothing better, as it will give us an opportunity to make a fight and to show why we have pursued the course we have pursued in Washington. We do not fear the results."

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### Wrecked Sailors Worn by Exposure

Four of Six Men Who Left Wreck January 7 Are Picked Up by Cutter.

SEWARD, Alaska, March 12.—Worn and exhausted by almost incredible hardships and bearing the marks of weeks of battling with icy gales, four of the six men who on January 7 left a wreck of the Farallon on Cook Inlet and in a rowing boat, the desperate task of rowing to procure relief for their companions, were brought into Seward just before midnight last night on the revenue cutter Tacoma, which after almost three weeks of searching for them from Sitka, Alaska, the Tacoma brought word that the two remaining members of the boat's crew are alive and safe.

Besides exposure to the cold, the men suffered from lack of sufficient food. Added to their hardships was delay caused by the loss of their rowboat, which was crushed by ice, and the loss of a sixteen-foot boat in which, after reaching Kasilof bay in an old skiff, they had dug out of the snow, they were trying to cross the straits.

When the sixteen-foot boat went down in a gale the men barely managed to make shore at Cape Ugar. Then they made their way overland to Afognak, where the Tacoma found them.

Small Damages for Liquor Dealer Attacked by Women  
Verdict of \$100 Held Sufficient for Wrecking of Anthony, Kan., Joint.

TOPEKA, Kan., March 12.—A mob may attack a Kansas saloon keeper, smash his bar and pour out all his liquor, but he can recover only nominal damages, according to a decision today in the supreme court of Kansas.

The decision was rendered in the case of George D. Stevens of Anthony, keeper of a saloon.

Anthony women raided a saloon owned by Stevens, the women smashed Stevens with eggs and smashed his saloon fixtures. Stevens sued the city and was given \$100 damages. He had demanded \$1,000, the value of the saloon fixtures, and appealed. The supreme court held \$100 was sufficient damages.

### FIRST TRAIN TO PASS SCENE OF WELLINGTON AVALANCHE

Great Northern Line Cleared by Engineers After Tieup of Three Weeks.

SEATTLE, March 12.—A Great Northern train over the Ha own track today, engineers having cleared the obstructions at Wellington. The main line had been tied up for more than three weeks and this is the first train to pass the scene of the avalanche.

### MAN AND WIFE DRINK POISON SEATED AT BREAKFAST TABLE

Aged Physician and Spouse Die After Draining Glasses of Poison.

PHILADELPHIA, March 12.—Seated opposite each other at the breakfast table in their apartments in Filbert street today, Dr. Charles C. Benson, 71 years old and his wife, Isabel, 57, drained two glasses containing poison, and died soon after.

### Bank Robbers and Citizens Meet on Railroad Tracks

BEATRICE, Neb., March 12.—(Special Telegram.)—Soon after the Virginia bank robbery this morning a party of Buchard citizens, upon returning home from Center, Kan., on a hand-car, met the three robbers who are supposed to have robbed the Virginia bank, riding east on a railroad locomotive on the Northwestern road. The robbers forced them to remove the hand car so they could pass. It is believed the men after raiding the bank at Virginia, stole the machine at that place and used it in making their escape. Officers have been notified along the line and it is thought they will succeed in capturing the robbers.

Three robbers at 1 o'clock this morning blew the safe of the State Bank of Virginia and escaped after engaging in a running fight with citizens, who were aroused by the sound of the explosion. It is not known how much money was taken, but President A. W. Nichols, who lives here, says the sum in the vault was not large. The entire front of the building was demolished.

John D. Westcott, telephone operator at the Virginia exchange, who sleeps in the building next to the bank, was aroused by the shock and alarmed the citizens. The robbers had completed their work by this time, however, and though a number of shots were exchanged on the streets, so far as known no one was hurt. Charles Hall of Virginia is cashier.

### THREE MEDIUMS ARE ELIMINATED

Bodies Expected to Aid in Settlement of Philadelphia Strike Cannot Act.

### CIVIC FEDERATION MAY

It Will Offer to Mediate at Request of Both Sides.

### LITTLE CHANGE IN SITUATION

More Cars Are Running and City is Generally Quiet.

### POLICE ASKED TO ORGANIZE

Committee of Ten Requests Officers to Cast Their Lot with Other Workers of City—Statement of Director Earle.

PHILADELPHIA, March 12.—Three of the four mediums which Philadelphia hoped a strike settlement might be reached were today practically eliminated. Yesterday it was hoped that either President Taft, the officers of Philadelphia, the National Civic federation or the local councilmanic bodies would find a way to lend a hand to stop the strike.

Today word came from Washington, unofficially, but on seemingly good authority, that the president, through the Department of Commerce and Labor, could not see his way clear to intervene. The reason given was that the trouble is purely of a local character.

Bankers declared that the financial interests probably would keep their hands off the fight. The president of the Philadelphia Clearing House association and the strong stand against intervention unless the Amalgamated Association of Street and Electric Railway Employees agreed to recede from its stand on the question of exclusive recognition of its organization.

Whether the National Civic federation will take up the strike settlement and the councilmen can be forced to take action remains to be seen. Another telegram was sent today to Seth Low, head of the federation, asking that that body offer mediation. Mr. Low replied the federation would do so if he could be assured the offer would be acceptable to both sides.

Little Change in Situation.  
There was no change today in the general strike situation. The Philadelphia Rapid Transit company placed a few more cars in operation and with the exception of the Kensington district, they met with comparatively little trouble.

There were reports of assassinations and desertions in the ranks of the general strikers, but their numbers were unimportant either way.

Employers predict that Monday will see the beginning of a general break among the sympathetic strikers, and dozens of local unions hope to be dismissed from their plans to hold the men together.

There was the usual number of disturbances in the Kensington district late this afternoon. Many cars were stoned, but at only one place did the police have much trouble. The strikers' clubs tonight to the police refrained from their usual dispersing crowds and this gave rise to a report that orders had been given to use unnecessary force in handling the throngs.

Chief Source of Trouble.  
George M. Earle, jr., one of the city representatives on the board of directors of the Rapid Transit company, has issued a lengthy statement explaining the labor situation as he views it. He declares that the chief trouble lies in the fact that the Amalgamated Association of Street and Electric Railway Employees, having won for itself the right to appeal to the company through a committee, has insisted that it be exclusively and to forbid it to men who were not members of the association.

Mr. Earle also announced that he had offered his resignation as a director, intending to take up the cause of the men in an effort to have their grievances adjusted, but that the company had refused to resign under fire.

Director Henry Clay of the department of public safety said this afternoon that a canvass made by the police in the textile mill districts showed that in a few of the mills some employees had returned to work today and that he had information that on Monday or Tuesday all of the employees of sixty-five plants would return to work.

Union bakers employed by a big department store have gone on strike and seriously crippled the supply of bread sold in that store. The store's business with 2,000 loaves and these were soon sold.

Ask Police to Organize.  
The committee of ten which is conducting the general strike has appealed to the policemen of the city to join them as members of the working class, to assist the strikers in the prevention of any more riotous scenes.

The petition to the police in part is as follows:  
"Get together and organize yourselves and let the law-defying bandits who perpetuated this strike and who have persistently refused to end it understand that you at least will not represent anarchy. Organize and cast your lot with us and establish a precedent for other and future strikes."



From the Philadelphia Inquirer.

### DUMP BRYAN? GUESS AGAIN

Political Activity Among Democrats of Country Due to His Work.

### BIG SCARE OVER ANNOUNCEMENT

C. W. Bryan at Lincoln Said to Have National Machine that is Frightening Big Bugs of Party Already.

(From a Staff Correspondent.)  
LINCOLN, March 12.—(Special.)—The recent statement sent out from Washington that democratic congressmen were going to dump William J. Bryan, the meeting of Norman Mack and Roger Sullivan and other leaders of the party in San Antonio and the prospective democratic conference in Hot Springs created little or no surprise around here to those who keep in touch with the Commoner office.

Those democrats who met in Washington will either dump Mr. Bryan or Mr. Bryan will dump them.

In every district in the United States where there is a democratic congressman who voted for the tariff bill or in any way opposed the ideas of Mr. Bryan regarding that measure or who lent aid and encouragement to the republican organization in congress Mr. Bryan will fight. He will urge the selecting of men who advocate his policies.

The meeting of the congressmen was the result of their knowledge that the fight is on. Those congressmen have heard from home. Mr. Bryan is in touch with their constituents and he has advised these constituents that it is their duty to select congressmen who will uphold the teachings of "Jefferson and Jackson" and who will oppose a protective tariff, even though protection would benefit their individual districts or states.

In sending out the suggestions from the Commoner office it is presumed that some of the letters fell into the hands of the enemies of the presidential candidate, while others who received them have evidently got busy to carry out the instructions. Thus it was not long before the congressmen heard of what was going on.

C. W. Bryan's Machine.  
Those who pretend to know are of the opinion that C. W. Bryan, who looks after the political and business interests of the presidential candidate, has the most gigantic organization of any single individual in the United States. Mr. Bryan keeps in touch with this immense organization not only through the Commoner, but through letters as well, and he secures from thousands of democrats and committeemen information by which he is enabled to whip the so-called leaders of his party at every jump of the road. By means of his organization C. W. Bryan is not compelled to rely upon the so-called state leaders of his party when he desires a policy endorsed, but he appeals directly to the rank and file of his party and to the precinct committeemen, and the thing is done.

Those who pretend to know say that it is nothing unusual for C. W. Bryan to send out from 50,000 to 75,000 letters, and even more, in a single week to precinct committeemen and others who compose his organization, and to them he suggests the things they should do to bring about endorsement of democratic principles by the democratic party.

In Nebraska the Bryan organization is not only going to look after the selection of "progressive" democratic candidates, but it is also going to see to it that no democrat who does not endorse county option secures a nomination for the legislature without a fight. The democratic candidate for governor who does not pledge himself in advance to sign a county option bill, if the one to be proposed passes the legislature, will not get a Bryan endorsement.

On this question Governor Shallenberger (Continued on Fifth Page.)

### Lillis is Taken Home Secretly in Cheerful Mood

He and Cudahy Resign from Exclusive Country Club—Former is Cited Before Board.

### KANSAS CITY, March 12.—After nearly a week spent at a hospital waiting for the knife wounds inflicted by J. P. Cudahy, the packer, to heal, Jere F. Lillis, president of the Western Exchange bank of this city, was able to be removed to his home last night.

The fact that Mr. Lillis had left the hospital was kept from the public till this morning.

In response to a telephone call a nurse at the Lillis residence this morning said that the banker was getting along "splendidly," but no further information was obtained from this source. Hospital attendants stated that the banker's wounds were fast healing and that when he left the institution he was in a very cheerful mood.

It developed today that the directors of the Country club, one of the most exclusive clubs in the city, adopted a resolution on Thursday night last, citing Jere S. Lillis to appear before the club and show cause why he should not be dismissed from its membership roll. Mr. Lillis in reply said in his resignation. The resignation has not yet been acted upon.

At the same meeting the directors received the resignation of J. P. Cudahy, which had been sent in voluntarily. Mr. Cudahy's resignation was accepted.

### Woodruff Slated for Decapitation

New York State Leader Object of Attack by Hughes, Root and Administration.

NEW YORK, March 12.—Senator Root's reported intention to visit here tomorrow has caused much political speculation, and an effort will be made to depose Timothy L. Woodruff as chairman of the Republican State committee. The selection of State Senator Cobb as president pro tem of the state senate, has brought the issue to a focus and it was understood generally that the administration with Governor Hughes and Senator Root would accept the challenge of the Woodruff organization and seek to rout the so-called "old guard."

### Million Dollar Depot Wrecked

New Structure at Winnipeg Collapses, Killing Two Workmen.

WINNEPEG, Man., March 12.—The roof of the \$1,000,000 Union depot here collapsed this afternoon, killing two workmen and injuring several others.

### Mrs. W. K. Vanderbilt Flips Train and Fools Reporters

She saw them coming. Mrs. "Willie" K. Vanderbilt, jr., pretty, complaisant and debonair, can flip off a train better than the average woman, and with more skill than most of them.

Anyway, she did the trick at Union station last evening, and by leaving her private car by the front vestibule, gracefully eluded newspaper reporters and correspondents who were waiting at the observation and to welcome her to the city.

Later, however, she granted them an interview, but not until she had personally filed a number of telegrams in the depot office to make certain that they were properly on the way. But she didn't say much that is for publication.

"I don't want to be interviewed," she said, smiling. "I knew you men would be at the observation platform to ask me all sorts of questions about chankster hats and woman's suffrage. That's why I left by the other door."

"I'm just off on a vacation with my children," she added. "We're going to Los Angeles, probably for a two months' visit."

While she was on the train, her children, Marion and William K. B., clambered down from the private car, accompanied by a maid. Mrs. Vanderbilt took each by the hand and then, graciously asking to be excused, proceeded to walk the platform for exercise of some sort.

Mrs. Vanderbilt, it will be remembered, was formerly Miss Virginia Fair of California. Her husband, William K. Vanderbilt, jr., is the noted motor flier, founder of the Vanderbilt cup races; golf enthusiast and polo player.

### MONDAY MAY SEE TIETUP

Possibility of Far Reaching Railroad Strike Looming on Horizon.

### COMMITTEES, IN SESSION HERE

Ominous Silence Maintained by Men at Chicago Today Likely to Be Broken by an Early Order to Strike.

### BULLETIN.

CHICAGO, March 12.—Admissions were made on both sides tonight that the controversy between the 30,000 firemen operating on 150,000 miles of railroads west, northwest and southwest of Chicago, and the railroad managers, had become critical and that the question of a strike, the tying up of practically all systems between here and the Pacific coast would be settled within forty-eight hours.

Firemen on all the roads operating out of Omaha, as well as on the forty-nine roads running west and southwest of Chicago, may be called out on strike within twenty-four hours. There are those who predict that all roads will be completely tied up Monday morning.

From Chicago comes the report that the railroad managers have again turned down the committee representing the Brotherhood of Locomotive Firemen and Enginemen on the wage demands and on the seniority question. The firemen had already voted to walk out if they were refused recognition, and if the report from Chicago is true the biggest strike in western railroad history now seems imminent.

Union Pacific firemen are awaiting instructions from C. V. McLaughlin of Omaha, chairman of the grievance committee, who is one of the firemen in conference with the railroad managers. D. W. Smith of Council Bluffs, the treasurer of the Union Pacific branch of the firemen's organization, who is at the head of affairs at this junction, had received no advice from Chicago yesterday.

At the Millard hotel the executive committee of the conductors and trainmen are still in joint session. It is thought they have delayed adjournment, awaiting the outcome of the firemen's trouble.

"If the firemen have been turned down there will be a strike," declared the chairman of the committee. "It is a serious proposition. However, I think a report from Chicago is a trifle premature; the men are still conferring with the railroad managers so far as I know."

"In case the firemen go out there will not be a sympathetic strike of the engineers or conductors," said E. E. McIntosh, chairman of the conductors' committee. "The engineers will remain by their side of the cab, but there would be no one to take the place on the other side. There are no available men."

### NINETY YEARS WITH CHURCH

Kansas Woman Dies at Matine at Age of One Hundred and Six.

MOBILE, Kan., March 12.—Mrs. Anna Bolcourt, aged 106 years, died at her home here today. Mrs. Bolcourt was a pioneer of both Illinois and Kansas. For nearly ninety years she had been an active worker in the Methodist Episcopal church.

### At Variance with Court.

"You are at cross purposes of supreme court of the United States, and with all due respect to you, Mr. McCoid, I must follow that court," said Judge Smith McPherson.

The attorney tried to offer further statements bearing on the case and had J. E. Swenson, postoffice inspector sworn. Then after a consultation with Emmett Finley, McCoid waived the objection to the evidence.

Deputy District Attorney Stewart proceeded to the reading of two exhibits, comprising racing challenges and a letter.

J. A. Secrest, Mike from Iowa City, and A. L. Alward, postoffice inspector from Sioux City, were called to the stand to identify photographs of H. B. Herriman, "millionaire" and others of the gang.

### DID MABRAY USE MAIL FOR FRAUD?

This is the Question in Famous Trial Upon Which Hinges the Government's Suit.

### POSTOFFICE EMPLOYEES ON STAND

Council Bluffs Clerk Testifies that Leader Used Assumed Name.

### PAIS ALSO HAD PRIVATE BOXES

Others Received Mail in Frisco, Los Angeles and Little Rock.

### MABRAY LETTERS ARE ADMITTED

Papers Confiscated by Inspector Go in an Evidence—Defense Files Objection Against Defendant's Testimony.

The prosecution of John C. Mabray and his fellow defendants of the "big store" case, in United States court at Council Bluffs, centered on the positive connection of the alleged conspiracy with the use of the mails for the purpose of fraud yesterday afternoon.

Inspector R. Rush, special assistant attorney general for the United States, took up this portion of the evidence and put on a number of postoffice employes from the several cities in which the gang is known to have operated to show the use of the mails. Witnesses from the Omaha and Council Bluffs postoffices were placed on the stand.

A handwriting expert is to be placed on the stand Monday in further pursuit of this lead. This expert is to testify in connection with a large number of the documents which are to be introduced in evidence. The testimony of the handwriting expert will be combated vigorously by the defense and his testimony bears on the only vital issue of the case—whether or not the Mabray gang used the mails for the operation of their system.

Postoffice Boxes Rendered.  
By the testimony of a witness placed on the stand yesterday, the prosecution showed that Mabray had himself rented the now famous and notorious box No. 4 in the Council Bluffs postoffice under an assumed name. Further it was shown that other members of the gang had rented boxes in San Francisco, Little Rock and Los Angeles.

This step in the evidence of the prosecution marks the beginning of the more strenuous part of the trial, the actual connection with the use of the mails. On this and other related testimony the fight has begun to center.

Mikes of high and low degree were called to the stand yesterday afternoon to tell their varying tales of woe. From the victims little was discovered that was significant of more than the similar testimony which has gone before.

It is expected that other defendants are reaching the determination to turn state's evidence. The defense is meeting this tendency with an effort to convince the weakening ones that there is a movement on the part of the prosecution to stampede the defendants. Lewis W. Shaw, listed from Miles City, Mont., charged with being the steerer in the \$30,000 milking press administered to H. M. McGrath of Pine City, Minn., is said to be among those who are weakening.

Precher's Son One of Gang.  
Stowe is the son of an Episcopal parson at Minneapolis, Minn. His alleged victim, H. M. McGrath, was a member of his father's church. McGrath is present at the trial and will be a witness.

With the case actually on trial the activity of fifth postoffice inspectors and the array of secret service men in Council Bluffs has not ceased. The production of new evidence is in progress.

The list of exhibits introduced Saturday, from the collection seized by J. E. Swenson, postoffice inspector at the Little Rock raid, has mounted, close up to half a hundred and there are more than 200 yet to come if the prosecution chooses to introduce them.

The defense has entered exception to the ruling to be noted in the record at the introduction of each separate and distinct document of the seized evidence. This indicates the contemplation of a further fight in the future on the same point in controversy.

Mad Missourian After the Race.  
The testimony of many "Mikes" was taken. Henry Stogsdale of Cabool, Mo., told how he disciplined the gang with a gun after he was fleeced in a fake race at Denver. He was a mad, mad Missourian after the race.

The argument as to the admissibility of the letters, papers and other documents taken in the raid on Mabray's home, was held at the opening of court Saturday morning. The defense made a bitter fight against the introduction of the letters in question and then waived the objection.

E. L. McCoid of Keokuk, an attorney for the defense, declared the use of evidence seized a violation of the constitutional rights of the defendants. He declared the papers inadmissible in that they were obtained through a search warrant issued in an Arkansas state court, thereby putting the court in the light of forcing the defendant to furnish evidence against himself.

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James A. Tierney, junk dealer of Sreator, Ill., "miked" for \$10