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OMAHA, WEDNESDAY MORNING, MAY 18, 1910-TWELVE PAGES,

From the Cleveland Plain Dealer

Stately Pomp.

MONARCH WALKS BEHIND CASKET

King George is Followed by His Two

Sons and Behind Them Come the

Kings of Denmark and

Norway.

King Marches Behind Casket.

As the gun carriage on which the casket

was borne moved ahead, the order "rest on

howed the soldiers kept their eyes on the

ground, while the body of their late king

passed, coming to attention again for the

King George, who, like the officers and

Frederick of Denmark and King Haakon,

with the duke of Connaught between them

families in gorgeous uniforms, the only

Queen Mother in First Carriage.

Her majesty, wearing the deepest mourn-

ing, had lifted her veil, and the people rev-

exently raised their hats to the pathetic

grief, acknowledged the silent testimony

(Continued on Second Page.)

get along very well

with second-hand

things, are watch-

columns of The

Every day someone is advertis-

You have something about the

Somebody wants it, and will pay

Call Douglas 238 and de-

scribe it to the ad taker and

he will tell you what an ad

ing an article that they do not need,

and every day somebody is snap-

Bee daily.

ping up these articles.

will cost to sell it.

What is it?

It has value.

house that you do not use?

People who can

of them in mourning dress, followed.

SHIPPERS FORM FIGHTING BODY

Traffic Associations and Individual Manufacturers Unite to Combat Raise in Rates.

JOHN E. WILDER IS PRESIDENT

Shippers from Many States in Conference in Chicago.

WESTERN MEN WIDE AWAKE

Meeting in Omaha, May 25 Will Enioin Proposed Rates.

NO REASON FOR ANY ADVANCE

Speakers Contend that Higher Charges Are Not Necessary, Because Net Earnings of Railronds Are Growing.

CHICAGO, May 17 .- The concentrated opios to an advance in railroad rates took. Should be they shall have it." zation of individual organizations and comroads. The following officers were elected: them. secretary, E. E. Williamson, Cincinnati. probably would seek by injunction to pre- larly each day, he says.

plaining the provisions of the bill amend- before Judge Latshaw. munication from Ohio C. Barber, chairman quested the attorney general to be present of the board of directors of the Diamond Match company, urging united action, was also read.

Among those who addressed the confer-

William Duff Haynie, counsel for the Illinois Manufacturers' association; H. C. Barlow of the Chicago Association of Commerce; E. E. Williamson of the Cincinnati Acceivers' and Shippers' association; C. B. Gregory of the Manufacturers' and Shippers' association of Rockford, Ill.; O. F. Bed of the Grane company, Chicago, A. R. Ebi of Deere & Co., Moline, Ill.; W. J. Evans of the National Association of ime Manufacturers; P. M. cago and C. T. Bradford of Chicago.

All of the speakers declared the rates on that the carriers are wrong in their con- field, has been notified. tention that higher rates are necessary to meet increased operating expenses.

Address of Mr. Burne.

In opening the meeting Mr. Burne declared that the railroads, when their at- which the officers cruelly beat him, while tempt to advance rates two years ago was sailors of the warship threw palls of hot defeated, promised the Illinois Manufacturers' association that in the future shippers would be notified before any attempt HEIKE TRIAL IS RESUMED at advancing rates was made. No notice of the present advance had been given, he Work of Filling the Jury Box Will

"Your representatives have received no request for conference, notwithstanding it is well known that the roads in official per cent," declared the speaker. "They today in the United States circuit court. have also withdrawn commodity rates and

center between the Rocky mountains and ernment in connection with the sugar un-plum was his preserve and he wanted to little figures in the natty uniforms of

will hold a conference this week to gain weighers. united action on the part of the commerwestern course. We are in the market to preme court. buy transportation. The railroads have it to sell.

Situation is Unusual.

"In scanning the history of industrial progress or the commercial world, can you find another instance where the man or men having something to sell assume the anomalous position of forcing his customers to meet in convention for the purpose of bringing about a united front to prevent the advance in the price of the commodity? Did you ever know of a successful merchant or a successful manufac-

the sympathies of the people of this country today's program was an address by W. A. and make the public believe they have been Pendergast, comptroller of New York City, generally abused, and that the railroads and former secretary of the Credit Men's amo are getting the worst of it?

"Even since the convention two years ago president. the ralivoads have put up a sympathetic front and pounded the man to whom they railroad business was getting the worst

"It is largely due to the railroads that this agitation about the high cost of living has taken place. They have got the public worked up to a point where it believes that

the railroads are not making any money. Depend on Public Opinion.

A.P.As to what legal remedy we have the lawyers will have to guide us, but I want to assure you that there is no result-getter like public opinion. If the people of this country rise up and show their determination to stop the railroads from adding any more lax to their food, from adding any more tax to their clothing, from adding any more tax to the things they use, you will have to appeal to the courts, or the Inor any state legislative body.

There is nothing in this country that sentiment when it is thoroughly aroused, tempted to submit a check for the amount the machine. Fredrickson's defense was

If Hyde is Denied New Trial He Must Go to State Prison

He Cannot Remain in Jail Pending Appeal of Case to the Supreme Court.

KANSAS CITY, Mo., May 17:-If Judge Ralph S. Latshaw overrules Dr. B. Clark Hyde's motion for a new trial when the matter comes up some time this week, the physician will be sent to the state prison nediately. The court made this an-

ouncement today.

'The law provides," said Judge Latshaw man shall begin serving Would oon as his motion for a new trial in # = Whether or not he appeals make 2 % fference. There are sev living time in the state penitentlary cases are being considered by reme court. Therefore if I see fit i Dr. Hyde a new hear ing, he will E ptenced next Saturday and started on as soon thereafter as suits the office. ence of the marshal's

not mean that I shall an a new trial. If his not grant the attorneys show what I deem good cause for

would be upon the defendant alone. Mrs. to the railroad bill was that offered by panies into a big association to fight the Hyde could not be forced to pay a cent of Senator Cummins to require the retention

vice-president, R. F. Spencer. St. Louis; not going to permit his medical mind to become rusty. Today the physician had one than against the government, as is pro-E. J. McVann, of the Commercial club, of his attorneys bring him a score of texts vided in the administration bill. Omaha, announced that western shippers from his office. He will study them regu- Under the Cummins amendment, the

Vigorously opposing the proposed ad- largely in recognition of his ability, it is plained of the lack of order. On his desk vance in freight rates, which carriers in said, that he was elected president of the and on those of LaFollette, Dolliver and official classification territory and western Jackson County Medical society last fall. Bristow were piled books and papers, inditrunk line territory have decided to Hyde has become popular with the pris- cating that they expected to speak at make, shippers from all sections of the oners at the jall. He is an honorary mem- length, country gathered in conference here today ber of the "mock court" by virtue of havat one of the largest meetings of shippers ing paid \$1 initiation fee, when the regular cost is but 50 cents. The physician also Elkins, The conference was called to order by plays cards with the inmates to while the

whose auspices the meeting is being held, torney General Major will appear in behalf supporters of the administration bill were with stately pomp this morning from Buck-A letter from Mattin B. Madden, congress- of the state when the motion for a new trying to formulate some agreement that lingham palace on the first stage of the have made a great featherweight." man from the First district of Illinois, ex- hearing for Dr. B. Clark Hyde is argued would command the solid republican sup- journey to the grave and now lies in state

Charges Against American Officers

French Fisherman Alleges Malereatment on the Cruiser New York.

a fishing boat which was engaged early tions on their today to take officers of the American that gathering, even by the president film- the booming of the first of sixty-eight min-Hansen of St. Louis; C. L. Lingo of In- cruiser New York from shore to their ship seif. diana Harbor, Ind.; F. T. Bentley of Chi- later lodged cor plaint with the police, alleging ill treatment at the hands of certain many articles are already too high and lean consular agent, Francis M. Mansofficers and men of the cruiser. The Amer-

The fishermen charge that when one of their number went aboard the New York to collect the fare of their two passengers water on his companions in the boat.

Probably Be Completed Be-

fore Day is Over. of sugar duties by underweighing cargoes, for congress and R. D. Sutherland. "The situation which presents itself is lie is the highest officer of the so-called | The latter, replying to Mr. Harmon, said

Fund Be Raised to Prose-

cute Frauds. 1.000 delegates from all sections of the is visiting here from England. Referring Britishers have gone out during the last country are in attendance on the annual to Mrs. Smith, the governor stated that convention of the National Credit Men's he had more power as executive in Neassociation, beginning its sessions here to- braska than had the king, as the governor day. Recommendations that a fund of dared veto a law, while the king would \$1,000 be raised by the association for the be sure to lose his crown should be atturer who was constantly fighting his cus- surpression and prosecution of fraud will tempt such a procedure. be one of the most important matters un-"What right have the roads to appeal to der consideration. Among the features of

CUMMINS SPEAKS FOR AMENDMENT

Iowa Senator Defends Provision in Railroad Bill Giving Power to Commission.

BURKETT STANDS BY HAWKEYE

Nebraskan Declares Himself as Unreservedly Favoring Plan.

COURT RULINGS IS THE SUBJECT

Give Interstate Commerce Body Action on Cases.

ILL-FEELING EVIDENT

Insurgents Refuse to Accept House Amendment Designating How Suits Must Be Brought.

WASHINGTON, May 17.-There were in dications of ill feeling between the regular Should Dr. Hyde lose his case in the su- and insurgent republicans when the senate form here today in the permanent organi- preme court, says Judge Latshaw, the costs convened today. The pending amendment of the present rule that suits under the President, John E. Wilder, Chicago: While Dr. B. Clark Hyde is in jail, he is interstate commerce act be brought against

vent the raise in rates scheduled for June Professional associates of Dr. Hyde are have charge of the defense of the sultz.

1. from going into effect. A meeting to not surprised at his studying in jail. He Mr. Cummins arose to speak on his amendcommission, not the attorney general, would take final action, he said, will be held at was known among the physicians as a serious student and was well abreast of the about on the floor and there was a great times in medicine and surgery. It was deal of confusion. Finally Mr. Clapp com

"Will you accept the house provision designating parties to suits?" asked Senator

"Positively not," replied Mr. Cummins." W. H. Burne, vice president of the Illi-reis Manusseurers association, under LONDON, May 17.—The body of King itôl today and after carefully looking over the midnight conference Saturday, the Edward VII, the peacemaker, was taken the latter's spare frame from a respectful port. The conservatives expressed willing- in Westminister nall, where hundreds of ing the Hephurn act, was read. A com- Prosecutor Virgii Conkling today re- ness to accept the progressives' view as thousands will pay a last tribute to the to the defense of suits if they would con- dead monarch before the final passage sent to the withdrawal of the Cummins through the streets of the capital on Thursamendment to prohibit the increase of rates day. by railroads without the prior approval of The procession from Buckingham palace the Interstate Commerce commission.

Senator Cummins' followers were obdu- lines of red-coated soldiers, flanked with rate. Senator Dixon, who led the forces rows of policemen and a mass of silent, that compelled the acceptance of an amend- black-garbed humanity, ment on the subject of long and short. The buildings along the route were hauls, acted as the intermediary between heavily draped with mourning. The Gerthe conservatives and the progressives. man and other embassies in Carlton house as the negotiations proceeded it was re- black and purple, relieved occasionally by self fit. ported that the several insurgents, who green wreaths and busquets of white liftes. "I knew he was there on the training," had not been invited to the White House The first intimation that the crowd; replied Nelson, "you can't fool me about TOULON, France, May 17.-The crew of Saturday night, "had heard that reflect which had been waiting for hours, had of telling when a boy is in shape."

The speaker shock both Nelso had been made at the approach of the funeral cortege was

Governor Has More Power than King the roll of mutfled drums.

be became invoiced in a dispute during This is What Mr. Shallenberger Tells Democrats at Beaver City Love Feast.

BEAVER CITY, Neb., May 17.-(Special shall Lord Roberts and Lord Kitchener of at the fighter, who backed away laugh-Telegram.)-The much advertised democra- Khartum, the admirals of the fleet, the ing. tic love feast came to a close at 1 o'clock Indian orderly officers in black uniforms, this morning, closing with an hour's speech and the aides-de-camp of the late king by Governor Shallenberger. The governor passed. came in time for the banquet, which was NEW YORK, May 17.-Completing the deferred for two hours, awaiting his arclassification territory intend to advance work of filling the jury box was expected rival. Toasts were responded to by Thomas their rates from 8 to 20 per cent and the to occupy only a short time when the trial Colefer of McCook, J. H. Mooney of Arawestern trunk line roads have already filed of Charles R. Heike, secretary of the Amer- pahoe. Representative Keely of Beaver their tariffs for advances as great as 16 ican Sugar Refining company was resumed City, Bernard McNeeny of Red Cloud, candidate for attorney general; H. C. Rich-Heike, with five others, is charged with mond of Omaha, C. O. Harmon of Holdreached out to grasp the large increase in conspiracy to cheat the government out rege, who announced himself as candidate distely behind the casket and in front of

anusual. Almost every important shipping Sugar trust to be prosecuted by the govthe Alleghenies is represented here today derweighing scandals, and is specifically do no tresspassing. He said that it was and many of those who are not represented charged with endorsing checks drawn by his ambition to be elected on the ticket this have taken steps to co-operate or unite the government for the refund thought to full with the present governor. The govwith each other in opposing the advances. be due the sugar company when the ai- ernor devoted nearly all of his address to For Instance, the Missouri river states leged faise weights were turned in by the his administration and dwelt at length upon came next and then followed the other the signing of the eight-hour law. He said members of the British and foreign royal Mr. Heike pleaded immunity, but his plea that the great mistake of the democratic cial and industrial centers along that great was disallowed by the United States su-party was when it did not oppose slavery touch of mourning being the black bands and that if the democratic party was to on the sleeves of their ocats. An army of win in the future it must go on record officers of the late king's household, nearly CREDIT MEN AT NEW ORLEANS for morality and opposed to the liquior all of them in bright uniforms, but a few traffic.

Suggestion Made that Million-Dollar Plates were laid for 203 guests and there were but 175 guests. One feature was the presence of a subject of King George V. riage, for in this rude the queen mother NEW ORLEANS, May 17 .- More than in the person of Mrs. B. C. Smith, who

Anti-Dynastic Feeling in Chinader consideration. Among the tentures of today's program was an address by W. A. Pendergast, comptroller of New York City. and former secretary of the Credit Men's association. F. H. Meadow of Chicago is president.

PEKING, May 17.—Reports from Hanking, the capital of the province of Kiang Su, tell of serious evidences of unrost among the Chinese. The natives are cuttured of their ques, an action which constitutes an anti-dynastic demonstration. The anti-foreign feeling is said to be increasing.

sell goods into creating an agitation to Auto Dealer is Fined for Tearing Policeman's Pants

into several somersauits, cost Mr. Fred- Policeman "Bill' Wilson told the court Judge Crawford Tuesday morning.

terstate Commerce comission, or congress, his arm and strove to take the prisoner Fredrickson had started up his machine will straighten the railroads out like public appeal his case to a higher court. He at- 16 pair of trousers upon being thrown from but constimes it takes a voicano to arouse of his fine to apply on his hond, telling that his motor was not in operation and the court clerk that he had been unjustive. the court clerk that he had been unjustly that he was merely coasting.

The case entitled 'Officer Wilson's Trous- | charged and unjustly fined, all in vain, ers versus H. E. Fredrickson" came to Clerk Mahoney refused to accept the check trial in police court. The trousers won, except as a payment of the court fine. An experience in which he coasted down Mr. Fredrickson, signed a bond in the sum In the end. W. H. Wigman, manager for Farnam street near Sixteenth street on a of \$200 and the defendant was liberated "dead" motor and threw Patrolman Wilson from Glover's clutches at the juli door.

rickson \$25 and incidentals under a charge that Fredrickson had made his way down of reckless automobile driving before Farnam at a most unseemly rate of speed and that when the policeman stopped him While Court Officer Glover dragged at and stepped upon the running board, into the jall room, Fredrickson made con- in a jerk calculated to make sixty miles tinued efforts to get a bondsman and to an hour. Officer Wilson damaged a fine

KING'S BODY LIES IN STATE Battling Nelson Has Interview It is Taken to Westminster Hall with with Cannon

"Wonder What's Keeping that George Upstairs so Long."

Pugilist Says Speaker Would Have Made Great Featherweight if He

WASHINGTON, May 17 .- "Battling" Nelon, called on Speaker Cannon at the capdistance averred "that the speaker would

Had Trained Early.

Introduced to the speaker by the latter's secretary, Mr. Busby, Nelson grinned broadly at the smiling speaker. "If you had begun boxing a few years ago you would have made a better boxer

than a speaker, and you are certainly some speaker," led out Nelson. to Westminster hall passed through doubled "Now, that's what I call a pretty nice compliment," countered the speaker, They went on to talk at length of ath-

Some of the group surrounding the two informed the fighter that the speaker took For a time he met with encouragement, but terrace were covered with funeral palls of

> The speaker shook both Nelson' ute gans, which were fired at St. James him on the back. The examination was

> park, followed by the tolling of "Big Ben," freely returned by Nelson who carefully the great clock in the tower of the House ran his hands over the somewhat gaunt of Commons, which heretofore has been frame of Speaker Cannon. "Say," said Nelson, as he ran his fingers heard only as it struck the hours, and by up and down the speakers's arms and Then a guardsman with sword reversed looked him over from head to foot, "I came down the Mali at measured tread, heard you were a big man, but you're only

> two other guardsmen following close be- a little fellow." Uncle Joe grinned and put up his hands hind. Then came the officers of the headin approved pugilistic style. Nelson acquarters staff, the army council and the board of admiralty. As these appeared the cepted the mock challenge and put up his troops came to a half salute with reversed practiced hands as if in defense Speaker Cannon made a few swift passes guns and remained thus until Field Mar-

> > " 'Philadelphia Jack' O'Brien taught me those," confided Mr. Cannon

After the informalities of the unique introduction were over the speaker stepped They are willing to act with any party they into his private office and emerged with a can control and against any party they box of cigars which he opened and proffered your arms," was given sharply. With heads to Nelson. "No, thanks," said Nelson; "I never

smoked a cigar or took a drink of liquor the subject of saloons and there is probably in my life." "I wish I could say that," frankly ac-

knowledged the speaker. Nelson was at the capitol to appear before a committee in opposition to a bill introduced by Representative Smith of be construed as a permission to establish Iowa, prohibiting the exhibition of moving a saloon anywhere and everywhere regardpictures of prize fights and transmission less of local sentiment. When we have of descriptions of prize fights by wire.

SPANISH OFFICER KILLED IN RIOT AT VALENCIA

Collision Between Republicans and Gendarmes Results in Injury of Several Persons.

The greatest interest of the crowd was MADRID, May 17 .- A collision between aroused at the approach of the first car-Alexandra, to whom the hearts of all used knives and stones.

many persons were wounded. Fifty arrests ought to be asked to answer a question were made and order was finally restored 'Are you afraid that under county option figure, who, even in the hour of her great after the manifestants had sought refuge the saloons of your county will be closed?" at the Republican club.

> Pioneer Postmaster Dead. SIOUX FALLS, S. D., May 17 .- (Special.) was the oldest postmaster in South Dakota. He was over 70 years of age and served county even when a majority of the people as postmaster of Mellette almost continu- of the county are opposed to it, then canously since the town came into existence

BRYAN WANTS REFERENDUM

Some to Oppose It. HOPED TO DELAY THAT SUBJECT | before the committee.

Believes Option Instead of Hastening Prohibition Would Delay it-Defent Would Hasten It.

W. J. Bryan, who spoke last evening at Washington hall, which he rented himself. told his hearers that he preferred to have the question of county option delayed for two years, but that he would insist on the quustion of the initiative and referendum being taken up and considered at once. He declared the liquor interests had de feated the initiative and referendum before the last legislature, Mr. Bryan said in

"We might as well prepare for the conflict and settle now the question whether a special pecuniary interest can control the policies of the parties of the states; silence conventions on important isues and then set up legislatures by secret manipulation. I for one am not willing that the democratic party shall go into the present campaign as the open and avowed representative of the liquor interests. I do not know how many of the democrats may agree with me. There is no way of findfight is made, and I am willing to be counted as one who protests whether those who agree with me are few or many. I believe that they are many; in fact, believe that if the matter can be fairly presented to the descocratic ovters a large majority will record themselves as unalterably opposed to the domination of cur party by the liquor interests. At least

I will not admit it until we are voted down in the convention or at a primary that a majority of the democrats are willing to take orders from the liquor dealers who have a pecuniary interest in opposing all restrictions and who have in the opposed every important effort to limit the evils o fthe saloon.

"The liquor interests have no politics. cannot control. When county option is secured each

county will have the right to vote on not a county in the state in which the saloon interests would be willing to submit a proposition in line with the argument they now make. They would be willing to ask that a victory against county option county option the liquor interests in each county will be very glad to have it understood that any town in the county can adopt a no-license policy in case the county itself does not adopt a no-saloon policy. The fallacq of the argument to which I have referred lies in the fact that the opponents of county option talk of what is fair to the saloon. The word "fairness ought not to be used by an advocate or the saloon.

"There is another argument which I have republicans and gendarmes is reported from heard advanced. Men have told me that a Valencia in connection with the manifesta- majority of the people of their county tion in honor of the arrival there of the favored saloons, and that the saloons there-Republican Deputy Senior Seriano. The fore ought not to be disturbed. My answer gendarmes charged and the republicans is that under county option the people of any county can have saloons if they want An officer was stabbed and killed and them. The man who opposes county option

Option and Prohibition. "I submit that the people who want the died a day or two ago, in point of service that are opposed to them. If the liquor interests insist that liquor shall be sold in a

ing the For Sale He Tries to Drink Red Pop, Struck Dead by Lightning

FORT DODGE, In., May 17 .- (Special gave a swift glance about and ran, throwelegram. - Even soft drinks are not with- ing the bottle of red pop far from him. ut their dangers. A freight handler, emlips while standing in front of a peanut out a sound. was struck dead by lightning.

fistance from the building or the telegraph took him. poles when a shaft of blinding light, acsquarely on the head.

He dashed across the street in a direct ployed by a railway company here, raised line heedless of all that lay in his path. a bottle of ruddy strawberry "pop" to his On reaching the opposite side he fell withstand near the depot here last night, and When bystanders reached him he was dead. The negro's dark skin had visibly

The dead man, Joe Anderson, a negro, 24 paled to an ashen shade through the effect ear of age, was standing at considerable of his sudden sight of the death that over- memorandum.

The siroke of lightning which killed Ancompanied by a sharp report struck him derson was the only discharge of electricity which occurred during the slight Anderson opened his eyes wide in terror, storm

KERBY ON STAND, TELLS OF LETTER

Discharged Stenographer Says He Discussed Lawler's Note with Garfield and Pinchot.

APPEARS AS THE FIRST WITNESS

Says Thomson was Slated by Ballinger as Reclamation Head.

TAFT'S STATEMENT IN RECORD

Chairman Nelson Presents it to Federal Inquiry Committee.

FIRST DUTY TO HIS COUNTRY

This, Declares Kerby, Compelled Him to Give Facts Which, He Says, Chief Clerk Failed to Do.

WASHINGTON, May II.-Frederick M Kerby, whom Secretary Ballinger discharged yesterday for publishing confidential information of the department on the department on the stand today before the Ballinger-Pinchot Investigating committee undertook to justify his action as the fulfillment of a public duty outweighing the loyalty he owed to Mr. Ballinger,

Kerby calmly underwent the ordeal to which the republican members of the comnittee subjected him. He insisted there was no impropriety in what he had done, declaring that if Secretary Ballinger had Says Fear of County Option Leads responded to the call of Mr. Brandels for the "Lawier menorandum" it would have been unnecessary for him to have taken the course he did to get the information

> Kerby said his former chief, ex-Secretary jarfield had told him at Gifford Pinchot's ome in this city last February that it was his duty to tell the facts if he was alled on to do so. It was on that ocasion, he said, that he had first told Garfield and Pinchot of the memorandum in the presence of Attorney Brandels to whom he had later mentioned that he knew it to be Mr. Ballinger's purpose to supplant Director Newell of the reclamation service, with R. H. Thompson of

> Kerby read leters of Secretary Ballinger o R. H. Thompson, city engineer of Seatde, suggesting that he accompany George W. Perkins of J. P. Morgan & Co., to nspect Alaskan mineral lands.

> When the first call for the memorandum came to the department, Kerby said, Stenographer Massey, who also assisted Assistant Attorney General Lawler in preparing his memorandum for the president, said to Private Secretary Carr:

"You know what that means, don't you?" Carr's reply, according to Kerby, was: 'Yes, but they'll have a hard time get-

ting it." The name of Hugh A. Brown, private secretary to Director of the Census Duing out where our party stands unless a field in the same capacity, was brought into the inquiry today. Kerby said he had mentioned to Brown soon after the publication of the president's letter exonerating Ballinger and dismissing Glavis that: "We practically wrote it in the secretary's office." He said he told Brown in confidence, but the latter mentioned it to Garfield. Kerby declined to agree with Senator

> Sutherland that he was a 'Cautlous patriot" in making sure of a ... w job be fore he risked lesing his o. one. Senator Root was paracularly bitter in his questions to the winess.

"Do you think it was a reputable transaction," he demanded, "to go to persons unfriendly to your superior, with confidential information of his department?"

"I did not under the circumstances," replied Kerby. "The country had the right to any facts that my superior had before

Lawler on Stand.

The defense in the Ballinger-Pinchot inestigation placed Assistant Attorney Cenral Lawler on the stand late this after-Mr. Lawler said that the rough notes of the memorandum were burned by his orders because he was confident that he had been "gumshoed" for months and he was afraid some one in the department would be corrupted as "Kerby has been

corrupted." There was hissing in the audience when Lawler said Garfield and Pinchot were be aind the "corrupters"

Mr. Lawler criticised as an absolute and meguivocal falsehood the statement that in the preparation of his memorandum for the president that he had consulted 'a ringle person under heaven."

Taft Letter in Evidence. President Taft's explanation of the cir umstances under which his letter exonerating Secretary Ballinger from the Glavis charges and dismissing L. R. Glav's was prepared and was presented by Chairman Nelson to the Hallinger-Pinchot ;investigating committee when the hearing was resumed roday. It will be printed as a

part of the record of the committee. Mr. Brandels, counsel for Glavis, has laid great emphasis on the president's letter of expneration and dismissal, contending that the memorandum on which it was based was prepared in Secretary Hallinger's department by Assistant Attorney General Lawler. The president in a letter which he saloon ought to be satisfied to retain the addressed to Senator Nelson last Sunday saloon in counties that want them, without says he had the Lawler memorandum be-W. T. Dale, postmaster at Mellette, who insisting that they shall exist in counties fore him when he prepared his communication, but that he also nad notes and memoranda given him by the attorney general who had agreed with the president in the conclusion he had reached in the matter.

While Commissioner Dennett of the general land office was under cross-examination last Saturday Mr. Brandels indicated that he intended to raise the question why the Lawler memorandum had not been furdished, together with the other papers bearing on the case, which the president had sent to the committee. A carbon copy of the Lawler memorandum was furnished the committee by Attorney General Wickersham coincident with the publication of the statement of Frederick M. Kerby, then a stenographer in Mr. Ballinger's office, that he had assisted Mr. Lawler in preparing the document and that it, was similar in many respects to the president's letter, Mr. Wickersham sent an explanatory letter to the effect that the document had been overlooked in previous searches of the department files. It is expected that Mr. Brandels will endeavor to locate the original

Kerby in Pirat Witness. Frederick M. Kerby, formerly a stenog rapher in Mr. Bailinger's office, who was

dismissed yesterday on the ground that he (Continued on Page Threa.)