VOL. XLI-NO. 3.

SINGLE COPY FIVE CENTS.

NEW COURSE OF STUDY PROPOSED

Members of National Council of Education Would Teach Obedience, Listening and Patrictism.

GREENWOOD SUBMITS REPORT Claim Made that Disregard of Law is Becoming Characteristic.

GRAFT AND BOODLE DENOUNCED Elemental Virtues Must Be Inculcated

in Childhood and Youth. THIS CENTURY MARVEL OF AGES

the Great Problem is How to Control Gigantio Enterprises of the Country.

MAN FRANCISCO. July 8. Disregard GOMPERS ON M'NAMAR OF LE REPORT AGAINST for law is fast becoming an American characteristic," is the finding of a report made by the committee on a system on ing morals in the public schols, at the first session of the National Council of Education of National Education society

President of Labor Federation Ap-

pears Before Senate Committee.

PROCEEDING CALLED INFAMOUS

Says Men Never Would Have Been

Railroaded to California Had

They Not Been La-

borers.

WASHINGTON, July 8 .- "Infamous"

and "third degree methods" were terms

can Federation of Labor in denouncing the

the Los Angeles Times building at a hear-

ing today before the senate special com-mittee for the investigation of police meth-

manner of arrests of John J. McNamara

"The right of the meanest man of our

citizenship must be respected," said Mr.

Gompers. "I need not argue that to the

United States senators, for it is grounded

He said the Indianapolis arrest was ap-

parently "staged," one newspaper "having

the story of the arrest set up" and the

edition held up "until the arrests could be pulled off." He claimed McNamara

was taken before a court which, instead of

ustice, merely investigated the personal

Mr. Gempers told the committee that he

knew the senate could not begin impeach

ment proceedings.
"I do know that if we had the recall is

the District of Columbia," added Mr.

Gompers, "that Justice Wright would have

Discrimination Against Laborers.

"There is not a man in the United States

except a working man, against whom such

outrages would be committed," declared

Mr. Gampers, comparing the McNamara

arrest procedure with the divorce proceed-

ings of the rich. He cited particularly the

case of "Millionaire Mellon, of Pitisburg,"

in which procedure a two days' hearing

was given a proposed witness in New York

before he was extradited to ennsylvania.

Referring to the "kidnaping" of Haywood,

Moyer and Pettibone, from Colorado into

"What we should have done then was to

Senator Borah of Idaho, who was a spe-

dal prosecuting attorney at the trial of the

labor men in Idaho, declared in that case

the law was at least technically followed

out and that whatever moral offenses were

committed in removing the men were in

order to bring to trial men against whom

Senator Borah added that in the Me

Namara case the question in his mind was

whether it had been "seen" before the

"I would like to have the name of the

judge that we may call him before uo,

Suggestion of Impeachment.

The impeachment suggestion came at th

glose of a review of the contempt pro

ceedings waged in the local courts by the

Buck's company against President Gom-

pers. Vice President John Mitchell and

Secretary Frank Morrison of the Feder-

"The sentences imposed by Justie

in the history of the jurisprudence of this

country," declared Mr. Gompers, "There

is no other case on record where there

was an imposition of more than six months

imprisonment upon any one found guilty

In the Debs case in which life was lost

lynching case from Tennessee the chief of-

fender was sentenced to ninety days in

jail. That was contempt against the su

Mr. Gompers told of the institution

ew proceedings by Justice Wright and

Justice Wright will be much older be-

fore I apologize," declared Gompers. "I

am ready to apologize for trying to help

the poor devils who are working and giv-

ing their services to the country and get-

of having violated any law or having

A protest was made against the burder

of the federation for having to defer

suits for alleged contempt, violation of the

Sherman anti-trust law and other crimins

charges. Mr. Gompers said it seemed to

be part of a plan to crush the federation.

He saked the committee to have a law

ting so little for it. I am not conseid

added that as an alternative to answering

the charges an opportunity had been give

preme court of the United States.

the defendants to apologise.

harmed any man."

whether the court had jurisdiction

Idaho, Mr. Gompers said:

have pursued the kidnapera."

there was a prima facle case.

men were brought before it.

ation of Labor.

of contempt of court."

been recalled before this.

into our system of government."

at Indianapolis and J. B. McNamara at

ods of ferreting crime.

habens corpus

Declaring the nineteenth century to have been the marvel of ages, "especially in the ocumulation of wealth and the capitalisti tralimation and control of the output and distribution of comforts and neces-saries of life," the report declares the chief problem of the twentieth century to be to control these gigantic energies."

"The pernicious practice of giving re-bates and discriminating against shippers; the prevalence of graft, boodling and bribery, the white slave traffic, mobs, riots, used by President Gempers of the Americappings and lynchings are cited as nstances of lawleseness. arrest of the men charged with dynamiting

New Course is Suggested. To meet this situation, the report says 'certain elemental virtues must be inculcated in childhood and youth," and a tentative course of instruction to this end

It starts with the teaching in the kin dergarten of tidiness, obedience and selfacrifice, considers in the grammar grades inculcating of individual virtues like patriotism, courage and determination, and includes with a high school course coverciety, to avocation and the state, and the study of the family as the foundation of

The report is signed by Chairman James Greenwood, superintendent of schools, Kansas City, Mo.; Martin Brumback, superintendent of schools, Philadelphia; John W. Carr, superintendent of schools, Bayonne, N. J.; William Lowe Bryan, esident of Indiana university, Bloomi ton, Ind., and Clifford W. Barns, chairman of the committee on moral training.

Standard of Efficiency.

nmittee to begin work on the sub-A committee to begin work of the effiject of tests and standards of the effiMr. Gompers' complaint was against Jusunder the Aldrich administration, he emclency of schools and school systems is
tice Wright's course in the Bucks Stove played Mr. Mulien to continue the proserecommended in the annual statement of and Range company contempt proceedings Charles II. Koyes of New York, president against the American Federation of Labor of the council and executive secretary of the committee on safety of the city of New

"In other fields," says the statement, and economic standards. We have everything necessary to have them, but education we have hardly begun scientifically to measure efficiency."

The report also recommends that the tional council meet in midwinter in Borah." end of summer, because of the demands made upon them by summer terms of various educational institutions

day's program included an address on "Improvement of Teachers in Service in City Schools." by Harian Updegraff, specialist in school administration of the bureau of education at Washington, and a oint session at night with the Religious Education association, at which addresses were scheduled by Prof. George A. Coe of Union Theological seminary, New York, and President David Starr Jordan of Stanford university.

SOUTH DAKOTA FARMERS ARE FIGHTING STOCKMEN

Belay of New Law by Referendum is Answered by Suit to Test Old Law.

ABERDEEN, S. D., July 8 .- (Special.)apprimers of Ziebuch county have started the fight the cattlemen at their own game made aking the constitutionality of the old law, which by its provisions did not to counties west of the Missouri in to the courts for settlement. The ature passed a law last winter exng the provisions of the state herd of tot o the counties west of the river. The men, in order to secure an extension east to open range privilege for two years ceive nitted the new law to the referendum deals, the homesteaders claim the old law lettra unconstitutional, because it was class

tionunties west of the river, and they will sk the courts to decide the question, hopng to find a loophole through which they Joan secure the benefits of the herd law at Wright in that proceeding are unparallelled once instead of having to walt until after

the islation. discriminating against the

The Weather



ormal precipitation 14 inchesticiency for the day 14 inchesticiency for the day 14 inchesticiency since March 1, 1911 7.25 inchesticiency since March 1, 1911 7.25 inchesticiency for cor. period 1919, 11.55 inchesticiency for cor. period 1939 55 inchesticiency for cor. period 1939 55 inchesticiency for cor. OMAHA, SUNDAY MORNING, JULY 9, 1911-FIVE SECTIONS-THIRTY-SIX PAGES.

Coming and Going in Omaha



SUAT IN TIME



HEADING FOR DIVORCE COURT GOOD RAINS FALL;

Nebraska Visited, with More in Sight.

SOME MORE RAIN LOOKED FOR Hail in Wroming, but it Does Little Damage-Growing Corn is in

Fine Condition in the Goodly rains, followed by hall, which

did no damage to the corn, was reported early Saturday morning from Garland and Cody, along the Sheridan division of the Burlington route. Rain was reported falling in eight of the towns along the route, with good prospects of rain Saturday in many of the other towns: At Pryor, one of the best rains of the season was falling

Cloudy weather with cool winds pre vailed in almost every town in the Sheridan and Sterling divisions, while the Alliat any time. At Crow Agency in the Sheri-

could go some time without rain, but more rain would put it out of danger. At pres ent the corn is small and has not begun surely be needed, unless it comes before

Camorrist Priest is Trying to Explain Letters of Criminals

at North Platte and from Julesburg, Colo.

Notes from Men Asking Protection and from Officers of Courts Asking Money Placed in Evidence.

VITERBO. July 8.-The court and jury who are hearing the trial of the Camorrists charged with the murder of Cuoccolo and his wife were occupied today with an examination of papers and personal belongings seized by the authorities at the home of Ciro Vitozzi, the priest, known as the "guardian angel of the Cammorrists," and one of the defendants in the There are many in the theatrical world

present case. When Enrico Alfano and his associate were first arrested they were arraigned upon the representations of Vitozzi, who said he had learned of their innocence and Young Colt is said to have been seen the guilt of others in the confessional. This intervention permitted Alfano to escape to the United States, where, however, he fell into the hands of the New York

> The exhibit included a sword cane, revolvers, 140 bills of exchange, 1,000 letters from criminals asking protection, a letter from Maria Bartolotti and 155 illustrated post Maria Bartolotti and 155 illustrated post cards, which the prosecution describes as obscene. Maria Bartolotti is believed by the final disposition of the amendments. cards, which the prosecution describes as some to be a close friend of the priest, while, according to others, Vitozzi acted as the woman's agent in loaning money. Confronted by these exhibits, intended to establish his evil character, Vitozui defended his possession of them. Regarding the communications from criminals, he said that he considered it the duty of his ministry to assist sinners, including the criminals who had applied to him for help. Among Vitizzi's effects were also found 000 letters from various clerks and offi cials of the law courts, complaining that noney promised them had not been rerelved. According to the state, the priest was in the habit of giving bribes to court officers in order to obtain light sentences for convicted criminals with whom he was

DAVENPORT IS DEAD Last of Famous Spiritual Mediums Passes Away at Maysville, New York.

NEW YORK, Juy & -- Ira Erastus Davenport, the spiritualist, who with his brother toured this country and Europe many years Joseph hospital. ago, giving "manifestations" which created a sensation, died at his home today in Mayaville, N. Y. Davenport was 72 years old. He leaves a widow and three children.

Davenport's brother was William Henry Harrison Davenport and they made a fortune of \$600,000 touring the world giving public "manifestations." In Liverpool a mob chased them out of town and once in Paris a jealous magician destroyed their 'cabinet," necessitating a postponement of

William Davenport died in Sydney, Australia, in July, 1877.

House Adjourns Till Wednesday. WABHINGTON, July 8.-After adopting resolutions of sympathy on the death of opposition. He drove out the army, forcing Representative Mitchell of Kansas, the it to abandon its post. The police are maknuss today adjourned until next Wednes-

CUMMINS AMENDMENT LOST

Senates Votes Down Proposition to

Put Meat on Free List. PETITION TO BE FILED MONDAY Eastern Wyoming and Western MANY SENATORS ARE ABSENT

> Mr. Burton Argues that Any Change in the Reciprocity Measure Will Defeat It-Flour Amendment Goes Over.

WASHINGTON, July 8 .- After some difficulty in securing a quorum the senate resumed consideration of the Canadian reciprocity bill today and over the protest of Senator Cummins began voting on his proposed amendments. The amendment putting meats on the free lists was defeated, Senator Bailey immediately moved an ad-

ournment. "It is apparent that we are doing busttess here with a bare quorum," he said,

The senate voted down the motion to adjourn, 19 to 28. Senator Cuccina again referred to what vote on his amendments before other sen- eral years ago. ators had a chance to speak on them. He declared that leaving a duty on Canadian

the United States. Senator Burton of Ohio, in voting against because he thought it would upset the whole Canadian agreement. He said he favored free meat, but not as an item on the recip-

The vote by which the Cummins' free neat amendment was defeated showed Senators Balley, Simmons and Thornton, democrats, voting with the following republicans in favor of the amendment: Borah, Bourke, Bristow, Clapp, Clary (Wyo.), Cummins, Dfxon, Gronna, Kenyon, Nelson and Sutherland.

to Ogaliala. Neb. Scattering showers fell rate vote on his amendment to admit flour and other manufactured cereal products free of duty from Canada. He said the amendment was to balance the provision of the reciprocity bill that puts grains on the read" the ship's log, and thought he was

Senator Bailey urged the adoption of the amendment. Senator Dixon insisted it would not invalidate the Canadian agreement. Benator Burton of Ohio contested the point. He declared the reciprocity bill was an "international agreement standing by itself."

Senator Burton added that he did not believe the farmers as a whole would suffer from the removal of the duty on "Why not put flour on the free list then?"

asked Senator Cummins. "I am willing flour should be out ously as an independent proposition,

Before a vote on the free flour amendnent was taken the senate agreed to an far, say the survivors. There were 300 on adjournment until next Monday and all the other amedments went over until that clare today that the missing ones went

Senator Simmons of North Carolina rafts to pieces. headed off the vote on free flour by asking postponement until Monday, so that he might speak on amendments of his own similar to those offered by Senator Cum-

Absent senators who can reach Washing-

Motor Car Overturns and Three Are Hurt

Accident on West Dodge May Result Seriously to Iowa Man and Companions.

A big Winton automobile tearing out West Dodge street, seven miles west of Omaha, ust beyond the Alamito farm, ran amuck and after knocking down three telephone posts overturned, injuring the driver, a Mr Morris of Fremont, and three occupants. Morris was taken to the Brailey & Dorance rooms with a leg broken and internal injuries, and the three others were taken to St. Joseph hospital. E. E. Carle of Maxwell, Ia., was the man

most injured. He had several ribs broken and they are pressing on his lungs. S. H. Nickerson of Frement had his lower limbs severely bruised, but no bones were broken Leo Fell, from Wyoming, was not injured at all and brought his companions to St.

DYNAMITE UNDER MISSION Three Large Sticks of Explosive Are Located Under Building in

Webster City.

WEBSTER CITY, Ia., July 8 -(Special l'elegram.)—As a culmination of the troubles between the Union Mission and American Salvation Army in this city city, three large sticks of dynamite were found today under the Mission building. There was enough dynamite to have wrecked buildings for a block in all directions. Capt. Wallace, former head of the army sere, was discharged for conduct unbecoming an officer and started the mission in opposition. He drove out the army, forcing

ing a close search but no clew has been

discovered to the persetrators of the pi

SANTA ROSA GOES UPON THE ROCKS

WEATHER FORECAST.

Four Members of the Crew of Pacific Coast Steamer Drowned and Several Passengers Missing.

CAPTAIN OF VESSEL IS BLAMED Men Lose Their Lives When the Lifeboat is Destroyed.

HEAVY SWELLS WRECK THE SHIP Craft Pounds Upon the Rocks Until it Splits in Two.

OUT FOR HOURS IN A ROUGH SEA Searchlight on Shore, Used by Railroad Laborers, Mistaken for the Lamp in Lighthouse-Pilot Steers Toward It.

SURF, Cal., July 8.-Second Officer E. Heuson and three seamen of the steamer Santa Rosa of the Pacific coast steam ship, which went ashore at Point Arguello yesterday, were drowned when a life boat capsized, while the passengers of the wrecked vessel were being taken ashore by the crew. Last night unconfirmed reports are that a number of passengers, variously estimated at from three to twenty are missing. Owing to the isolation of the scene of the wreck and difficulty in the operation of the wireless and telegraph lines, accurate information was unobtainable at a late hour,

The known dead: E. HEUSON, second officer, Berkeley,

FRED JOHNSON, seaman. JOHN P. SIFFER, seaman E. W. JEBSEN, seaman.

The four members of the crew all live in San Francisco. The Santa Rosa went ashore just before dawn at the mouth of the Hoda creek

Searchlight Responsible.

It is supposed that a powerful searchlight used by a gang of railroad laborers workand I think we ought to let these votes go ing near the wreck was the cause of the vessel leaving its course, the quartermaster mistaking it for the light of the Point Arguello lighthouse. The vessel lay about 200 yards from the shore near Saddle Rock. considered the unfairness of forcing a where the Yankse Blade was wrecked sev-When the boat struck, the injury did not

appear to be serious and Captain Farlar, meat would benefit only the big packers of believing he would be able to float the Santa Rosa, made no attempt to land the passengers. A sharp wind, rising soon Mr. Cummins' amendment said he did so after 4 o'clock, threatened to rack the boat to pieces and hasty preparations were made to take the passengers and crew ashore. At 5:30 o'clock a heavy swell cracked the vessel amidships and at 6 o'clock it split in two. There were 275 persons on board, most

of whom had taken refuge in the forward section, as the stern of the boat had re ceived the brunt of the attack of the Waves.

Captain J. O. Faria, commander of the wrecked steamer Santa Rosa, made a state-Senator Cummins next moved for a sepa- accident upon Third Officer Thomas, who was officer of the deck when the flanta Rosa plunged upon the rocks before dawn vesterday morning. Thomas, in defense, stated that he "over

off Point Conception, several miles south of the point where the steamer grounded. Captain Farta said the current sets hard here near the point where the steamer struck and that Thomas neglected to call him as is customary, when soundings were taken.

The vessel is a total loss.

EIGHT PASSENGERS ARE MISSING Great Suffering Among Survivors-

Many Are Hysterical. SANTA BARBARA, Cal., July 8.—In spite of assertions from company officials and the free list if it can be done without en- ship's officers to the contrary, the passendangering this reciprocity agreement," re- gers of the wrecked steamer Santa Rosa, turned Senator Burton. "But if you want who arrived here early today after a thrillfree flour why don't you take it up courage- ing battle with the breakers that smashed the stranded ship, declare that more than stead of trying to tack it on this bill as a four satiors lost their lives. One hundred and ninety-two namengers

are all that have been accounted for so the steamer and many of the rescued de down to death when the surf battered life

Few of the shipwrecked voyagers have recovered from the strain of battle with the breakers in the dark last night. Many

Many a small merchant wonders whether he can afford to advertise. He wonders if he can

compete with his small copy against the big copy of the very large stores. He might answer these ques-

tions first: Can he afford to run a small store instead of a big one? Can he afford to carry a little insurance instead of a great deal? Can he afford to live in a small house instead of a mansion? Can he afford to travel on a street car instead of an automobile? The whole thing is gauged by

the size of his business and the size of his pocketbook. He needs advertising for a

small store just as much as a large one does. How can he expect his store to grow big unless he advertises? He would be fust as foolish to rent more room than he needs, as to buy more advertising than he needs -but he can't get along with

There is no uncertainty about advertising. There is not a bit more question of people learning about your goods, it you tell them about them often enough and long enough, than there is about your child learning in school, if you send the youngster there day noter day

for a sufficiently long time. You can teach the whole c of Omaha through one out about your goods because Bee now reaches more four out of five of the h

Today is a good time

FOR NEBRASKA-Showers.



Comparative

ing men and their removal to other states tion of hogs," he said, "it could prevent the unlawful taking in interstate comm of individuals."

Referee Evans Recommends to Supreme Court that He Be Oustd from His Office.

FINDINGS OF FACT SUBMITTED Conclusion of Law in Support of the

Becommendation and Against Head of the Omaha Police Force. (From a Staff Correspondent.)

LINCOLN, July 8 .- (Special Telegram.)-Referee Robert E. Evans of Dakota county has filed his findings of fact and conclumions of law, and recommends that the supreme court enter judgment of ouster he said, excitedly. "I don't want to talk against Chief of Police John J. Donahue about it. It is all news to me. She didn't of Omaha. The report of the referee will notify me of anything like this." be acted upon by the court at the fall

term in the September period. At the request of Governor Shallenberger, Attorney General W. T. Thompson insti- plied Mr. Celt. tuted quo warranto proceedings a year ago in the supreme court, alleging that the don't know. There is not a word of truth ance division reported cloudy weather and Chief of Police had wilfully failed and re- in all this stuff about our having trouble low temperatures and rain was expected fused to enforce laws against the illegal in New Orleans. As for my not going sale of liquer in Omaha and laws against along on Mrs. Colt's western tour, I have dan division good rains were reported. under the provision of the Sackett law, an give some time to my business. No, that showed that corn was growing rapidly and act passed by the legislature of 1907, which is absolutely all I have to say."

Provided that officers who failed to enforce laws which it is their duty to enforce gun laying her plans to divorce her big identity of the prisoner. The witness said force laws which it is their duty to enforce McNamara was denied counsel and remay be ousted from office by judgment of moved to California over so many railroads that he could not be released on who succeeded Mr. Thompson as attorney general took testimony in the case before Impeachment of Justice Daniel T. Wright Referee Evans, who had been appointed of the supreme court of the District of referee by the supreme court. After Columbia was suggested by Mr. Gompers. Grant Martin became attorney general

What Referee Finds. The referee finds that during the twelve onths preceding August I, 1910, intoxicatat several places and that Donahue, the respondent, had notice of these facts and that he wilfully failed, neglected and refused to enforce the laws by causing the and happy. "I do not think the recall is as good as arrest of the persons so engaged. The impeachment generally," suggested Senator

"It cannot be seriously contended but that houses of prostitution were running openly in the city of Omaha during the last two years of respondent's term of office, and that each week day there was laid before him reports which carried to him that information. The evidence shows the actual sales of intoxicating liquors for money openly paid, the several transactions being such that the only conclusion be arrived at is that the violators had no fear of the officers of the law, and to indicate that the officers did not wish to know all violations of the liquor laws."

Conclusions of Law. The referee in his conclusions of law says the charge in the information alleging the willful failure to enforce the ordinances of the city of Omaha by causing the arrest of those guilty of running houses of prostitution does not set forth facts sufficient to allow to constitute a cause of action under the Sackett law. No ordinance is pleaded in the information making it a crime to run a house of prostitution. The Sackett law is designed to secure the equal enforcement of law throughout the state The enforcement of its ordinances is left to the city. An act which would not be unlawful but for the ordinance or is made unlawful by the ordinance, is not within the scope of the words-"any law," as used in the Sackett law. The referee finds that charge in the information alleging the willful failure to enforce the laws of the state by causing the arrest of persons guilty of running houses of prostitution sets forth a cause of action against the respondent. The general charge of illegal sales of intoxicating liquors without a li-

cense and at lilegal hours is held sufficient What it Means. In closing the referse says: "This action not a criminal action, and the judgment of ouster as made was not intended by the legislature to be a punishment of the respondent. The purpose of the lawmaking pody was to secure the prompt and proper enforcement of law over every portion of the state. The effect upon the respondent is only an incident to the relief sought by enforcement of the law. Judgment should he said the sentence was six months. In a be rendered in favor of the state and

James Petit Drowned in Lake Michigan

President of Peavey Grain Company Loses Life While Bathing Near Chicago.

CHICAGO, July 8.-James Petit, presient of the Peavey Grain company, was drowned today in Lake Michigan while oathing off Highland park. A pair of "water wings" evidently had slipped down from under his arms and buoyed up his feet, tipping his head under water.

Mail Carrier Ejected from Car. IOWA CITY, Ia., July &-(Special.)-The Iowa City Street Car company may particle pate a war with the postmaster general of passed to put a stop to kidnaping of labor- the United States and the commonwealth of lows. The company has refused to give "If congress can regulate the transports- the first currier, to try to ride without paying, to make a test case. The refusal

CHIEF DONAHUE Report Reaches New York that Ethel CORNGROWS WELL Barrymore-Colt Seeks Separation.

Rushand in the Case Says that the Talk is All News to Him, and that He Knows Nothing About the Stories.

NEW YORK, July &-(Special Telegram.) Russell Griswold Colt, the husband of Ethel Barrymore, declared today that the report that his actress bride of two years was about to sue him for divorce, was news to him. The young man, who is helr to many millions, was seen at the office of H. L. Horton & Co., brokers, in which concern he has a large interest. "I don't know anything about all that,"

"You don't know then that a messenger is on the way with the papers?" was asked, at 8 o'clock Saturday morning. "Why should they come that way?" re-

"Why should they come any way? I houses of prostitution. The suit was filed my business here to look after. I must Reports received Saturday morning The news that Ethel -arrymore had be-

may be ousted from office by judgment of athletic husband was collected in dis- to tassel yet, but probably will by patches from Los Angeles, where she is latter part of next week, when rain will Jack Barrymore, when seen at his sum- then. The following towns reported rain at mer home at Rockville Center, L. I., to- an early hour Saturday morning: day, expressed surprise at the announce- Akron. Billings. ment that his sister was bringing divorce

> "It is all news to me," said the foung it may be tru . I have not seen Tabel for three months, and have heard practically nothing of her. She has been touring out west. I knew Mr. Colt was not with her. but I thought he had remained in New York for business reasons. I saw him only a week ago and he seemed cheerful

"In my opinion this thing will be as ble a surprise to Colt as it was to me. It certainly is not true that my Brother Lionel and I urged Ethel to take this step. I introduced Mr. Colt to her, and have the highest regard for him." A special messenger is understood to be on his way to New York from California

with all the necessary papers for the suit

and is due tomorrow. The suit is expected

to be filed here Monday A woman's name will be mentioned in it: she is said to be a New York society woman, but her name is guarded. It is understood Mrs. Colt will ask fo a property settlement from her husband of 250,000 on behalf of herself and their son, low a year and a half old.

today who professed not to be surprised. They declared the beautiful young actree and her husband had been drifting apart ince soon after their baby was torn. often during the last few months in the white light district, which he forecok for a time after his marriage. The baby is

Stokes Hearing is Postponed Until Tuesday Morning

with its mother.

Elevator Boy Whose Testimony is Important to Defense Could Not Be Found Saturday.

NEW YORK, July 8.-For lack of last witness wanted, a further hearing of the Stokes' shooting case was postponed today until Tuesday morning. The missing man is Wilfred Hart, the elevator operator. who took Stokes up to the defendants apartment when he was shot. Hart's testimony will be important because through him the defense expects to prove that instead of Hart's saying to Stokes: "Go right up; you are expected," Stokes said to the elevator boy: "You needn't announce me; I am expected," indicating

that Stokes wished to arrive without warn The principal argument for the girls' dis missal was the anxiety shown by Stokes to recover the letters he wrote to Miss Graham, declared an attorney for the defense today.

"The evidence that some one in Mr Stokes' employ stole those letters from my clients' rooms," said the attorney. 'shows that this shooting was justifiable. Commissioner Waldo today took up the case of the three city detectives who permitted James Cummings, the Ansonia house detective, to remove the packet of Stokes' letters found in the girls' apartment three days after the shooting. Cummings testified that the city detectives did not see him find the letters and admitted that he had "secreted" them-Counsel for the girls maintain there wereighteen or more letters in the package. nly twelve reached the district attorney's office after they had passed through the

hands of Stokes' private counsel Joe Chamberlain Has Birthday. BIRMINGHAM, England, July S.—Joseph Chambertain celebrated his 75th birthday at his home in Highbury today. The vet-eran statesman was the recipient of world-wide congratulations. His health is fairly good.