

GAYNOR'S RELATION TO POLICE ACTIVITY IS FEATURE OF TRIAL

Commissioner Waldo Testifies that
Mayor Never Gave Him Instruc-
tions Regarding Raids.

BASIS OF CROSS-EXAMINATION

Attorney for Accused Inspector Asks
Many Questions.

WALDO CONTRADICTS HAYES

Says He Did Not Instruct Officer Not
to Make Raids.

KNEW HOUSES FLOURISHED

He Says He Presumed that Inspector
Hayes Was Doing the Best
He Could to Close
Them Up.

NEW YORK, Sept. 6.—The relationship between Mayor Gaynor and the New York police department, the mayor's attitude on the city's so-called vice and excise problems, and the extent to which the department followed his public declarations of his attitude, formed the basis of a relentless cross-examination undergone by Police Commissioner Waldo today in the trial of Cornelius G. Hayes, an inspector suspended on charges of making false statements during an interview on the Rosenthal murder, reflecting on the commissioner.

Thomas "Teacher" Hayes' counsel, thwarted in his efforts to read into the record the mayor's utterances on the vice problem, finally gained recognition from the trial commissioner, Douglas I. McKay, by this declaration:

"I am merely trying to prove that Mayor Gaynor's policy was one under which the social evil was recognized as an unconquerable problem, which had to be endured, but that the evil had to be present a front of outward decency; that in the failure of Inspector Hayes to raid disorderly houses he was merely reflecting this policy and any orders issued to him by Police Commissioner Waldo were directly in violation of that policy."

No Orders From Gaynor.

Mr. Thatcher was then permitted to proceed with his cross-examination along the lines he desired.

"Does not Mayor Gaynor direct your policy toward vice?"

"He does not," snapped the commissioner.

"Has Mayor Gaynor ever instructed you how to deal with disorderly houses?"

"He has never given me any instructions on that subject."

"As a matter of fact, you didn't expect Hayes to raid disorderly houses within his district, now did you?"

"I expected him to raid every disorderly house as to whose operations he could obtain evidence."

"You knew, didn't you, that disorderly houses had flourished for six months in Inspector Hayes' district; that these houses were operating every day and that they were not being raided?"

"Yes, I knew it. I knew that disorderly houses had flourished in that district for a year. But I presumed that Inspector Hayes was making every effort he could to close them up."

Waldo Questions Inspector.

Commissioner Waldo testified that he had called before him on August 15 the various inspectors to ascertain which one of them if any had given an anonymous interview published that day to the effect that no disorderly houses should be raided without his instruction.

"Inspector Hayes told me that he understood his orders were not to raid disorderly houses without specific instructions from me," Commissioner Waldo continued.

"Had you ever given him such orders?" asked Terrence Farley, assistant corporation counsel, representing the department.

"He was never given any instructions of that character in any form whatsoever," Commissioner Waldo replied.

The district attorney's office expressed satisfaction today in the discovery of a Salvation Army girl who had rooms near the Hotel Metropole and who was an eye-witness to the murder of Rosenthal. It is said she can identify several. If not all of the men involved in the shooting.

Another witness, a member of the Elks club here, has been traced to Troy, N. Y., and an assistant district attorney was dispatched thither last night.

DAUGHTER OF W. J. TAYLOR FATALLY BURNED AT MERNA

BROKEN BOW, Neb., Sept. 6.—(Special Telegram.)—Dr. Grace Taylor, daughter of W. J. Taylor, democratic nominee for congress from the Sixth district, was fatally burned at 5 o'clock this afternoon at her home near Merna.

Dr. Taylor was starting a fire presumable with gasoline when her dress caught in flames. In this state she ran from the house into the orchard, where she was soon found in a dying condition. She was hastily placed in a physician's care, but her injuries are so serious that it is only a question of a short time before she will succumb.

Judicial Election Statute of South Dakota Attacked

PIERRE, S. D., Sept. 6.—(Special.)—The sensation of the campaign was sprung here today when Attorney T. H. Hull of Huron appeared before the supreme court today in behalf of William Heeley and asked for an order from the court prohibiting the secretary of state from certifying any judicial nominations to the county auditors to be placed upon the ballot. He alleges that the act of 1901, changing date of judicial elections, is void.

The papers, which are carefully drawn, refer to some early territorial history and early statehood history in law making, and set forth detailed reasons why the application prayed for should be granted.

From the time the state was admitted into the union until 1901, the application says, the judges of the various courts in the state were elected in what is termed "odd years," and at a time when no general election or election of other officers was held. The legislature that met that year enacted a law changing the dates so that judges would be elected in the even numbered years. It is now claimed that the act of 1901 is unconstitutional because there is no authority in that instrument for changing the time of electing judges from the odd year to years of even numbers, or general elections, nor is there any authority in the constitution for enlarging the terms of the office of the supreme court judges from six years to six years and six months, as was done by the act of 1901.

The proposition the supreme court is asked to solve is whether or not supreme judges shall be elected at the election to be held in November next, or not until 1917. The solution is awaited with interest, as a question of no small importance to the people of South Dakota is involved.

The court set September 15 for hearing of the application.

Search Will Be Made for Bodies of Victims of Wholesale Murder

CHICAGO, Sept. 6.—Digging for victims of wholesale murders in West Hammond, Ill., twelve of whom are said by Frances Ford to have taken their death draught from a "black bottle" kept in a notorious resort, may be decided on as a result of his investigations, said Coroner Peter Hoffman of Cook county today.

The Ford girl, whose revelations have made the most startling features of the crusade started by Miss Virginia Brooks, has not told all she knows about the West Hammond dives, the coroner's jury believes.

A formal warrant for the arrest of the young woman was issued today by the county judge under her real name, which is said to be Mrs. Ethel Parker.

Meanwhile Miss Brooks arranged for a conference with Charles F. Wooddy, division superintendent of the federal Department of Justice, regarding conditions in West Hammond. She is seeking the co-operation of the federal government in the prosecution of violations of the Mann white slave act.

Miss Frances Ford, whose eighty-page revelation of vice in the village of West Hammond, Ill., is expected to be the basis of prosecution of the alleged "vice ring" in the small town, was said to be recovering from her nervous breakdown today. Lack of morphine, to which the girl is said to be addicted, is believed to have contributed to her breakdown.

Louisiana Moosers Will Be Unable to Get Candidates on Ballot

NEW ORLEANS, La., Sept. 6.—If contentions of the Taft leaders are correct, the Louisiana progressives will not have the name of Colonel Roosevelt and their other candidates on the state ticket at the November election. To obtain a place on the ticket the progressives are required by law to file a petition with the secretary of state, signed by at least 1,000 electors. They have not yet done so.

The Taft leaders and Secretary of State Hebert, a brother of Clarence S. Hebert, in charge here of the Taft campaign, say that the time limit for filing the petition expired last Tuesday night. The petitioners hold that they have until October 1. The case may go to the courts for settlement.

President Taft's Ankle is Improving

NEW LONDON, Conn., Sept. 6.—President Taft arrived at New London on the presidential yacht Mayflower today.

President Taft was accompanied by Mrs. Taft, Mrs. Thomas McLaughlin of Pittsburgh and Miss Mabel Boardman of the American Red Cross. Charles D. Hillis and George R. Sheldon of the republican national committee remained on the Mayflower.

The president, still suffering from his ankle, had to walk a short distance to an automobile and upon reaching his hotel a chair was quickly provided for him in the lobby. His ankle was much better, however, than when he left Washington.

LINEMAN AT SHENANDOAH KILLED WHILE AT WORK

SHENANDOAH, Ia., Sept. 6.—(Special Telegram.)—W. M. Knopke, a Western Union telegraph lineman, was electrocuted at 5 o'clock tonight. He was at work on the line between Shenandoah and Clarinda. He climbed a pole just opposite the Wabash depot and struck a live wire with his leg.

He was instantly killed but hung to the wire five minutes and fell thirty-five feet to the ground below. Knopke's home is in Peoria, Ill. He is 19 years old, single and had been working for the Burlington company four years.

STRAUS NOMINATED FOR GOVERNORSHIP

Difficult Situation in New York
Progressive Convention Solved
by Compromise.

PRENDERGAST WITHDRAWS NAME

Woodruff Acts for Comptroller and
Moves for Unanimity.

DECISION IS MADE SUDDENLY

Delegates Parade Aisles When Mc-
Gee Makes Proposal.

LEADERS ROUTED OUT OF BEDS

Deadlock Becomes So Acute Early in
Morning that County Chairmen
Are Summoned for Confer-
ence in Secret.

SYRACUSE, N. Y., Sept. 6.—Oscar S. Straus was nominated for governor by acclamation at the progressive state convention this afternoon.

Straus was unexpectedly placed in nomination by J. C. McGee of New York. The placing of Mr. Straus' name in nomination caused a demonstration. Men and women delegates paraded the aisles and cheered continually.

Timothy L. Woodruff withdrew the name of Comptroller Prendergast amid cheers. Mr. Woodruff moved that Mr. Straus be nominated by acclamation. The motion was seconded by others.

So acute had the situation become early today that the county chairmen were routed out of their beds for a conference. Thirty of the sixty chairmen then secretly discussed the situation and finally took a vote, which showed eight for Comptroller Prendergast, five for Hotchkiss and one for State Senator Frederick N. Davenport.

Over Four Thousand Horses Are Dead in Western Kansas

TOPEKA, Kan., Sept. 6.—More than 4,000 horses have died in western Kansas since the mysterious disease broke out and it is estimated that the money loss is close to \$200,000.

The plague now has come as far east as Riley county, and the army veterinarians at Fort Riley have established a quarantine prohibiting the bringing of any horses on the military reservation.

Fort Riley is wholly a cavalry and artillery post, and there are more than 1,500 horses and mules there.

The great mortality has created a serious situation in western Kansas, hundreds of farmers being left without animals to do necessary farm work. Because of fear that new horses would catch the disease and die the farmers are afraid to buy other animals. Meantime fall crops are going unharvested and very little plowing or planting of fall wheat is being done.

DODGE CITY, Kan., Sept. 6.—An autopsy today on one of the horses which died of the mysterious disease that is killing thousands of horses in western Kansas revealed a bucketful of tiny worms in the intestines. Horse owners are dosing their horses with turpentine and other oils in an effort to kill the intestinal worms.

State Campaign in Maine is Having a Whirlwind Finish

PORTLAND, Me., Sept. 6.—The activity of the platform speakers and party newspapers continues during the closing hours of the Maine state campaign. Before midnight tomorrow the final arguments will have been made to the voters and the balloting will begin on Monday noon after daybreak.

Never have so many speakers of national prominence taken part in a Maine campaign as have appeared on the stump this year. Governor Plaisted, democrat, is a candidate for re-election and his republican rival is William T. Hanes.

The principal issues of the campaign are statewide prohibition and economy in the management of the state affairs.

BATTLE IS FOUGHT OVER AGAIN AT KANSAS CITY

KANSAS CITY, Mo., Sept. 6.—Two thousand soldiers gathered in Swope park, on the outskirts of the city today, to reenact the battle of Westport, one of the most important engagements of the civil war fought on Missouri soil.

The bloodless battle was arranged in connection with the Westport carnival and reunion in progress here.

On exactly the same ground where fifty years ago real blood was shed, the crack of rifles in mimic warfare was heard today. The first battalion of the Nineteenth United States Infantry represented the Blues and the Third regiment, Missouri National Guard, the Grays. Prominent civil war veterans took the parts of General Sterling Price, Generals Marmaduke, Pleasanton, Curtis and other leaders of the old days.

Governor Hadley and his staff were expected to view the battle.

RAILROADS CHARGED WITH CHAMPAGNE CONSPIRACY

WASHINGTON, Sept. 6.—A "champagne conspiracy" on the part of the Atchison, Topeka & Santa Fe and forty other railroads was charged before the Interstate Commerce commission today by a firm of dealers in wines. The firm complains that the railroads discriminated in favor of California champagnes by charging only \$2 per hundred pounds on such shipments from California to New York, while they fixed a charge of \$2.25 on champagne shipped from New York to the Pacific coast.

What Can a Poor Candidate Do?



From the Cleveland Plain Dealer.

Double Murder Plot Fails After One of Victims is Killed



From the Cleveland Plain Dealer.

HOLCOMB ASKS MORE TIME

Referee in Ouster Case Not Ready
with Decision.

KARKEEK TAKES HIS MEDICINE

One of Last of Mabray Gang Pleads
Guilty After Spending Two
Years in Prison Fighting
the Case.

(From a Staff Correspondent.)

LINCOLN, Neb., Sept. 6.—(Special.)—In the South Omaha fire and police case which was given a hearing in the supreme court yesterday before Referee Holcomb, the latter has made a motion for an extension of time in which he shall file his decision with the supreme court. He asks for September 12 as the limit. The former date was September 2, but on account of unavoidable delays the case was not heard until September 5.

James Ferrier, manager of the Culbertson ditch, was a caller at the office of the Referee commissioner today. The Culbertson ditch is owned by former United States Senator Bulkeley of Connecticut. Mr. Ferrier says that crops are unusually good under the ditch this year out in Hitchcock county and that some of the wheat has run up to fifty-six and one-half bushels per acre. Mr. Ferrier and wife had been in attendance at the state fair.

Ray M. Scott and Edwin Parr of Omaha have formed a corporation to be known as the Scott-Parr company, and have filed articles of incorporation with the secretary of state. The capital stock of the corporation is set at \$25,000, in shares of \$50 each. The company will do a general jewelry business.

General Test at Fair.

General E. F. Test, the first quartermaster general the state of Nebraska ever had, serving under Governor Furnas, was attending the state fair this week and visiting with his son, Lieutenant Test, instructor of the Nebraska National Guard. Mr. Test resides in Council Bluffs.

Patient Becomes Wild.

An insane patient from Omaha at the Lincoln hospital for the insane, who becomes so violent at times that he has to be restrained, took a violent spell the other day and evading his keepers, locked himself in a room, tore the bed to pieces and broke up the steel bedstead. He then smashed the panels out of the door so that he could watch his pursuers and stood them off successfully. Finally they were compelled to cut a hole in the ceiling above the room large enough to get a hose through and he was given a water bath, which cooled him down sufficiently so that he was captured. He is a very large and strong man and decidedly dangerous when he gets one of his raging spells.

Mexico is Urged to Send Soldiers to Protect Americans

WASHINGTON, Sept. 6.—American Ambassador Wilson was today instructed by the State department to urge upon the Mexican government the dire need of federal troops in northern Mexico to protect Americans. Frantic appeals to the State department tell of dangers threatening Americans and call for help. In the majority of cases they come from mining companies located in the northern states.

FEDERAL COURT IS IN SESSION AT DEADWOOD

DEADWOOD, S. D., Sept. 6.—(Special.)—Regular sessions of the United States district court have commenced here with the following grand jury: John H. Dobson, Alexandria, foreman; John H. Groce, Ramona; William Pierce, Garrettsville; Leon Aiken, Blunt; John Soukup, Wagner; Joseph Heptges, Yankton; Arthur Sills, Lesterville; James Shaw, Madison; Joseph E. Yaroush, Kimball; Edward M. Hart, Vermillion; John A. Egge, Garrettsville; J. R. Noble, Belle Fourche; C. M. McCullum, Tyndal; C. D. Dumke, Pringle; D. S. Billington, Spearhead; A. P. Anderson, Canby; Daniel D. Collins, Gary; Paul Karwowski, Madison.

Plea of not guilty were entered by Leon Running Shield, charged with the robbery of an \$18 coin on the Pine Ridge; Peter La Beaux, charged with larceny of a government cow on the Rosebud; and Charles J. Potter, charged with using the mails to defraud.

Two False Alarms Cause Excitement in Jackson Prison

JACKSON, Mich., Sept. 6.—Two false alarms of further convict riots and the shooting of John Miller, a tile company employee, who, the soldiers thought, was attempting to steal dynamite, kept the militia guarding Jackson prison busy today. It was stated that the convicts were not responsible for any of the trouble.

A militia detail, guarding a dynamite magazine three miles from the prison, found Miller inside the "dead line" and one of the guardsmen fired. The bullet struck Miller over the right eye, inflicting a possibly fatal wound.

Prison officials are silent as to recent flogging of prisoners or severe punishment still to be meted out, but it has been admitted that such methods were to be used.

Wilson Speaks in Sioux City Sept. 17

SEA GIRT, N. J., Sept. 6.—Governor Woodrow Wilson today announced the itinerary of his first trip to the central states. It is as follows:

September 17—Interstate fair, Sioux City, Ia.

September 18—Minneapolis and St. Paul, September 19—Milwaukee.

September 20—Columbus, O.

September 21—Pittsburgh, Pa.

The governor will travel in a special car attached to regular trains. Two stenographers, two typewriter operators and a secretary will accompany him.

Kaiser Concludes His Visit to Switzerland

ZURICH, Switzerland, Sept. 6.—The German emperor concluded his visit here today. His majesty was very cordial when taking leave of the Swiss President, Dr. Ferrier, to whom he expressed his pleasure in witnessing the Swiss maneuvers. He then entrusted for Germany amid the cheers of thousands of people.

Seventh Victim of Wreck Dead.

GREEN BAY, Wis., Sept. 6.—Alex Scholl, mail clerk, who was in the Chicago & Northwestern railroad train wreck at Lyndhurst last Sunday, died of his injuries today. This makes the seventh death as a result of the wreck.

RELATES INCIDENT OF CAMPAIGN.

After an introductory anecdote, he had started to relate an incident which had occurred near the end of the war.

"It was during the campaign at Peach Tree creek," he said, "a place about five or six miles from Atlanta, that one of the most remarkable scouting expeditions of the war was engineered by the Twenty-fourth regiment, with another body of the same size, just which I cannot remember."

"The men were sent out on a reconnaissance with the federals under the impression that the enemy were several miles away. They followed a wooded ridge for a distance and were startled to find they were entirely surrounded by the enemy."

"A slow and cautious retreat followed and after crawling most of the way out they escaped back of the union lines with no one the wiser."

"Your indomitable courage—here the general paused for a few seconds—"Comrades, I am too weak to go on," he added and sank back in his chair. He

(Continued on Second Page.)

FOREIGN OFFICERS MEET DEATH WHILE RIDING THE AIR

Two British Aviators and One Ger-
man Are Killed When Their
Biplanes Drop.

WIND CAUSES ONE OF ACCIDENTS

Captain Hamilton of English Army
Has Passenger with Him.

BOTH MEN INSTANTLY KILLED

While Trying to Make Headway, the
Wings of the Plane Collapse.

FIND BODIES UNDER WRECKAGE

Lieutenant Stiger Goes Up in
Stormy Weather to Locate Posi-
tion of Troops, and His
Machine Buckles.

STEVENAGE, England, Sept. 5.—Two more British officers lost their lives while flying today. Captain Patrick Hamilton had taken Lieutenant Stewart with him as a passenger in his biplane. The two officers had flown for a considerable time when a strong wind suddenly sprang up and in endeavoring to make headway against it one of the wings of the aeroplane collapsed. The machine fell to the ground from an altitude of 250 feet and was destroyed. The bodies of the two officers were found in the wreck. Captain Hamilton was an infantry officer belonging to the Worcestershire regiment, but was attached for duty to the army flying squad. Lieutenant Stewart was not an aviator.

MUNICH, Bavaria, Sept. 6.—A German aviator was killed here today during a reconnoitering flight. Lieutenant Stiger of the Bavarian army had ascended in his biplane to make a report of the position of the opposing force in the local maneuvers. The weather was stormy and when his machine had reached a height of 300 feet it suddenly buckled and crashed to the ground. Lieutenant Stiger died shortly after he was picked up.

Charge of Forgery is Made Against Lawyer Whose Client is Dead

NEW YORK, Sept. 6.—Pending a decision from the district attorney's office here, the authorities of Orange county, New York, are holding in abeyance any further investigation into the death of Mrs. Rosa Sheehan, an Austrian woman, who was drowned in Greenwald lake while in company with Burton W. Gibson, a New York lawyer. At an inquest at the time of the death a verdict of accidental drowning was returned.

One of the chief questions to be cleared up is whether Mrs. Penetrone Menichnick, mother of the victim and beneficiary under the will, is alive. Mr. Gibson contends she is alive in this country and has produced what purports to be a waiver of citation signed by her, placing him in control of her daughter's estate. In the affidavit submitted to the surrogate, the Austro-Hungarian consulate alleges that Mrs. Menichnick died in 1910 and that the waiver of citation is a forgery.

Mr. Gibson says he can explain everything and answer all charges at the proper time.

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(Continued on Second Page.)

The Weather

Official Forecast—
Forecast till 7 p. m. Saturday:
For Omaha, Council Bluffs and vicinity
—Fair tonight and Saturday; cooler to-
night.

For Nebraska—Fair; slightly warmer
west portion.
For Iowa—Generally fair; cooler east
portion.

Temperature at Omaha Yesterday.

Hour.	Temp.
5 a. m.	73
6 a. m.	72
7 a. m.	72
8 a. m.	72
9 a. m.	74
10 a. m.	77
11 a. m.	79
12 m.	80
1 p. m.	82
2 p. m.	82
3 p. m.	82
4 p. m.	82
5 p. m.	82
6 p. m.	82
7 p. m.	83

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