THE OMAHA SUNDAY BEE NEWS SECTION THE WEATHER, Showers; Cooler PAGES ONE TO TEN OMAHA, SUNDAY MORNING, SEPTEMBER 7, 1913-FIVE SECTIONS-THIRTY-FOUR PAGES. VOL. XLIII-NO. 12. SINGLE COPY FIVE CENTS. FREMONT FAIR THIS WEEK THAW ATTORNEYS JAPANESE OFFICIAL It Was a Good Long Swim, Anyway 「「「「」」の「藤飾麗山」 QUARTER MILLION City Prepares to Entertain Biggest WILL ASK FOR BAIL IS VICTIM OF ANTI-IS PAID TO MULHALL Crowd Seen There. EXHIBITED TRACTORS ALSO AMERICAN AGITATION **BY MANUFACTURERS** This Will Be the Next Step of Cana-Agricultural Hall Occupies Two dian Counsel for Slayer of Blocks of Entire Street and Bisto History Society Stanford White. it is Expected to Be Director of Political Bureau of For-Auditor Employed by Senate Lobby Filled. APPEAL MAY BE M eign Office Attacked by Stu-Committee Goes Over Books of The city of Fremont is in gala dress. the National Association. dent Jingoes is Dead. Prisoner Believed Laux Arrangements are about completed for the entertainment of the crowds that SENSATIONAL PRESS ACTIVE to Privy Coun LOBBYIST'S STORY CONFIRMED are expected to be in attendance on the big tractor exhibition and the Big "4" CASE OF JEROME IS litter Attacks Made on Cabinet's Cal-Agricultural fair, which will occur simul-Many Payments Made to Persons taneously beginning Tuesday of the presifornia and Chinese Policies. Designated by Number. Bitterly Denounced by ent week. Assurances received from different sections of the country in Failure to Appear EXCITEMENT BECOMES INTENSE CHARGES AGAINST FEDERATION dicate that Fremont will have the largest crowd to entertain that it has a or well med, and they will be entertained in MAGISTRATE HIGHLY INDIG Evidence that Foreign Minister Ma-Ex-President Emery Says it Makes royal manner. The city has put on its kino Was Included in Plot. Fights on Congressmen. holiday attire. Says "We May Be Suburban Town, The principal streets of the city are but We Intend to Enforce Our de orated with lines of streamers being ABE TALKS WITH REPORTER OFFERS TO PRODUCE EVIDENCE Laws"-Offende rie Be arranged in groups which show white, Prosecuted to Limit. yellow, red, green and blue colora Three Hours Before He Was At-Mr. Kirby Says it Uses Methods of Standing at the station and looking up tacked He Went Over Japanese MONTREAL, Sept. 6.-An application Industrial Workers, but Com-Main street, the view is beautiful and for ball will be the next move by the Foreign Relations with Assoentertaining. The effect at night, when mittee Declines to Follow, lawyers for Harry K. Thaw, who yesterthe recently installed system of 'electro-This Lead. clated Press Man. ller street lamps is in full glow, is beauday succeeded in securing from Justices Cross and Gervais a wrot of habeas cor-WASHINGTON, Sept. 4 .- D. L. Frawtiful and bewildering beyond description. TOKIO, Sept. 6 .- Mortiaro Abe, director Even the side streets have received their pus returnable in Montreal on Septemley, employed by the senate lobby com-mittee to audit the books of the National of the political bureau of the Japanese WIVIAN foreign office, died today, the victim of share of decoration. ber 15, and an order preventing the im-The beautiful residences for which migration officials from deporting Thaw. unknown assassing. His assailants, who Association of Manufacturers testified Fremont is famous are decorated, and at The legal contingent from Montreal are believed to have been students, oday to the committee that between 1903 night will shine with a soft glow of iny in wait for him in front of his handling Thaw's case, accompanied by and 1913 the association paid \$345,900 to house on Thursday evening, while he was at the railway station to meet P. Chinese lanterns. "Gentleman" Roger Thompson, the chauf-Martin M. Mulhall for legislative and feur who drove the rescue car from Matcampaign work. The audit confirmed in City United in Preparation. Ijuin, minister to China, who had just One thing that strikes the observer teawan, returned on a special train this nany particulars Mulhall's testimony to with particular force is the spontaneity been recalled from Peking. Director Abe morning. the commission. was attacked by two young man, who ran While the Thaw lawyers declined to and the unamity of the entire city in The association spent more than \$1 out of an alley toward him. One seized ommit themselves it is thought they will 990,000 in those ten years, for all of its giving itself up to the entertainment of him by the shoulders, while the other various activities, Frawley reported, Acvisitors. Ordinarily, on occasions like quietly appear in the court of king's plunged a short sword into his abdomen bench either today or Monday and make ounts which Mulhall said had been dusthis, the matter is left entirely in the twice. The assassins escaped in the darktheir appeal for bail. ignated by numbers on the association's hands of committees, and the acquiescence of the citizens in the demands In legal circles here the belief is held books to hids the identity of some of It was not thought at first that the that the Thaw case is now safely those drawing money for legislative or of the committee is perfunctory. But at director's wounds would prove fatal for campaign work were investigated by launched on its long trip to the privy Fremont there is none of this perfunctory they were promptly dressed after some Frawley, who reported he could not find council. E. Blake Rebertson, assistant acceptance of suggestion. There is a passers-by had carried him to his home. that the accounts over had carried tho superintendent of the Dominion immigraunamity of enthusiasm such as is rarely Excitement is intense here, following names of the beneficiaries. tion department, who passed through seen. Every visitor at Fremont may be the reports of massacre of Japanese and Montreal on his way home to Ottawa, sure of a glad hand from any citizen, be-Emery Makes Charges. the insult to the Japanese flag at Nanksaid. "Thaw would be deported, be sure cause they are all interested and are de-James A. Emery, Washington counsel for the National Association of Manuing, and there is much irresponsible of that." termined to make the stay of the visitors clamor for drastic action against China, Pressed for a statement Mr. La as pleasant as possible. The arrangefacturers told the house lobby committee similar to the recent clamor against Flamme of the Thaw counsel said: ments for the public entertainment of today that the American Federation of America. "We licked Jerome, and there will be visitors are completed. In a large tent Labor had been as active as the manu-Hunt for Motive. Drawn for The Bre by Powell. no deportation. Tha"s enough for the facturers in opposing congressmen whose The motive in the assassination of opposite the new Agricultural hall will views it did not approve. He promised to produce evidence. John Kirby, jr., once president of the manufacturers de-Director Abe may have originated in be held the exhibit of the Fremont Kenpresent. resentiment of the policy of the foreign nel show, which wil be open to all vis-UNDERGROUND TRAIL FOUND Jerome's Case Continued. RAIN HELPS QUENCH ENGINEER MILLER office in either or both of these matters. The Agricultural hall occupies COATICOOK, Que., Sept. 6 .- William itors. clared the methods of the federation and two blocks of an entire street which has The foreign office officials in both cases Travers Jerome, arrested in Coatlcook the I. W. W. were the same. When been set aside for the purpose, and it is have steadily adhered to a policy of calmyesterday on a charge of gambling, was Conspiracy to Spirit Away Chinese DOES DOUBLE WORK FIRE IN HOT SPRINGS bittorly denounced by Justice of the Peace Mokee in his court room today. counsel for the federation objected Kirby estimated that at the time for opening Fugitives Discovered. offered to produce evidence but the The student element, at whose door the the fair it will be filled to repletion. ommittee shut off that angle of the inassassination is laid has been laid, has Some implement men, thinking there

been increasingly active in politics. Re-cently three students tried to see Baron Makino, minister of foreign relations, and submit to him a solution of the Cali-fornia land question. The sensational needed and would be occupied. press has been attacking the foreign office on both the California and Chinese

policies. Another theory is that Director Abe was mistaken by his assailants for Dr. Sun Yat Sen, the Chinese revolutionary leader, whom he greatly resembled. It was reported a month ago, soon after Dr. Sun Yat Sen's^{\$} flight from China, that

This band will give free music every tent of the law. He can't come here and day, and will keep the air filled with play his card games before our children. This may be a suburb town, but we instrains of popular music. The Edmond's Carnival company which comprises fourtend to enforce our laws. Our relations teen separate shows, is located just off with the American bar are cordial, but Main street near the depot, and will fur-100 assassing had been sent by the nish continuous entertainment through-Chinese government to kill Dr. Sun, Gen- out the day, and at night, when the exerjustice must be meted out in this case." The court then suggested that Jerome' cises of the day are closed, will keep ball be forfeited. "That would only hit two of our citivisitors from weariness. Every day there will be a big parade at 1:30 in the afternoon beginning Tuesday morning at 10 the prosecutor. The justice said he would o'clock when the entire list of tractors let the ball stand and put over the case that are entered for exhibition will take until September IL. There was a crowd of about sixty perpart in a tractor parade. In the afternoon of the same day, there will be a sons in the court room who stamped their firemen's tournament, one feature of feet and applauded vociferously when the which, a big water between teams of justice denounced Jerome. four, will furnish plenty of amusement Jerome meantime was at Norton Mills, to onlookers. On Wednesday, there will Wt., where he went yesterday by autobe a farmers' decorated vehicle parade; mobile after being admitted to ball. He Thursday a Big 4 industrial parade; was considering the next move to be on Friday, a lodge and society parade; made in the Thaw case and for this reaand Saturday there will be a decorated son did not deem it best to return to automobile parade. Coaticooke, where excitement ran high.

Parade Each Day.

Tractors Unloaded.

Harry Orchard Will

The gray-bearded magistrate was very might be space to spare, asked for a indignant when Jerome's counsel announced that the New York lawyer could Latest Estimate Places Property Loss part of it for a display of implements and were told that all room would be not be present today and asked an adjournment of the hearing of his gambling "I want to say," oried McKee, banging The music for the entire week will be furnished by Stockfeldt's Junior band. the table with his fist, "that we intend to persecute Mr. Jerome to the full ex-

eral Huang Sing and other Chinese revolutionary fugitives. According to the Tai-Hei-Yo News

agency, the conspirators intended also to kill Premier Yamamoto and the minister of foreign affairs, Baron Makino.

Kidnaped Girl is Located by Film

BOSTON, Sept. 6.-A mother's search for nearly a year for her missing hus-band and child has been brought to a on successful close through the medium of the motion pictures, according to a letter received from Tokio, Japan, by the police

John Eills, a stockbroker, who carried off his 4-year-old daughter, Olga, despite a court order that she be delivered to her mother, has been located in the Japanese capital by a person who recog-nized his likeliness in the "movies" in Tokio. In the search for her daughter Mrs. Eilis enlisted the aid of practically every motion film company in the United States and pictures of the husband and child were exhibited over all the world. Althoung Eills and the child have been located, they cannot be brought to Boston, according to local police authorities.

Hundred and Fifty Drowned in India

interested. SIMLA, Britis. India, Sept. 6 .- One hundred and fifty native men, women and children were drowned today while fording the river Beas in the Hoshlashur district of the Punjab, on their way to attend a fair. They were overtaken in the river, which is very wide at this part, by a sudden heavy flow of water from the mountains.



Forecast till 7 p. m. Sunday: For Omaha, Council Bluffs and, vicinity altowers.

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Comparative Local Record. 1913. 1915. 2911. 1914

Inits inininits ininininits inits inits inits inits inits inits i L A. WELSH, Local Forecaster. of many more,

Thaw's Case Hadly Sunried. Thaw may remain here a day or a

In addition to all these spectacles and entertainments offered by Fremont, they week. Not until September 15 is he to insue to visitors a book of privileges appear at Montreal before the full king's bench appeal side, on the writ of habeas corpus obtained by his lawyers yesterday, which give them welcome entrance to the Elks' club rooms and the Eagles' club It is optional with the immigration aurooms and the Country club. thorities to move him at once or keep him

The tractors for the big demonstration are being unloaded. Some of them are here until the last moment. As matters stand, the case of the

giants, both in power and weight; others fugitive slayer is more snarled up than of less power are supposed to meet the at any time since his escape from Matneeds of farmers operating the small teawan. Ordered deported for two reafarms. The hotels are full of tractor sons-entering the dominion by stealth men. One gathers from their conversaand having been an inmate of an insane tion that this tractor movement is only asylum within five years-his appeal to in its infancy; that it presents many as the minister of the interior automatically yet unsolved problems, which are receivstayed proceedings.

ing careful attention and will undoubt-Thein came the writ of habeas corpus edly be successfully worked out in the and the restraining order was issued future, and these tractor men are exprior to the time the deportation decision changing with on eanother the ideas upon was returned and it is a question whether the subject in which they are most deeply this does not invalidate the findings. In any event Thaw will have his court hear-

Never before has so much interest been ing and the matter of his deportation, excited in a single event as is now in thought yesterday to have been settled, evidence at Fremont. The crowd there is now so complex as to make forecasts during the coming week will be great, out of the question.

and there will be great things to see Crowd Cheers Prisoner there, great lessons to be learned, great The arrival of the writ here last evenideas to be absorbed, great hopes to be ing on a special train was greeted with fostered and fed. No one will make a wild cheering by the crowd around the mistake in taking advantage of the occa- railroad station. Thaw himself thought sion offered to see the greatest, most it was returnable at once and had prepractical, most beneficial exhibit of farm pared to go to Montreal on a special power that has ever been offered. power that has ever been offered. The tractor demonstration proper be-then the special whirled away, but Thow

gins Tuesday afternoon at 1:30 and con- was not on it. It carried only his victortinues until 4:30, and this program will be jous lawyers, headed by J. H. Creen-repeated every day of the entire week. shields and N. K. LaFlamme.

Thaw's guards said he slept well last night in spite of the excitment of yes-terday. He retired after the Conticook band had given a concert beneath his Ask for Pardon barred windows, playing in conclusion "God Save the King," while the throng

BOISE, Ida., Sept. 6.-Harry Orchard, shouted "three cheers for Thaw!" Or dinarily the band plays in the park, but self-confessed assassin of former Govthe members could not resist the chance ernor Frank Stuenenberg, and at one of playing for Thaw before a sympathetic populace.

British Dignity Offended. Foreign lawyers, foreign sheriffs and foreign bailiffs have hurt the dignity of the British courts of law in the Thaw case," said Justice Gervais, one of the

mmigration authorities from deporting Harry K. Thaw. Ravenna Loses Two Games.

RAVENNA, Nob., Sept. 6.—A fast team of semi-protessional bail players styling themselves the Kanass City Red Sox, but said to be the Ciay Center team of the Central Kanass State league, played ball in Bavenna Wednesday and Thurs-thal in Bavenna Wednesday and Thurs-thal, winning both games from the locals. The visitors are a bunch of clean fellows and play clean ball and the games are drawing good crowds.

fous downpour of rain today proved a

at Six Millions.

ONLY FOUR PERSONS INJURED

Seven Hundred Buildings Destroyed

and Twenty-Five Hundred Are

Homeless-High School and

Court House Gone.

HOT SPRINGS, Ark., Sept 6 .- A gen-

smouldering ruins of the \$6,900,000 confla- branches in many cities of this country zens who went on it," said Mr. Hanson, gration which swept Hot Springs last and at least one in Mexico. The discovery

> in ruins. Perfect order prevails, however, tional. due to the efforst of 150 citizen police. The 2.500 persons rendered homeless are coverey in a raid on rooms at the rear being cared for and it is probable city authorities will not call for assistance from the state at large. The loss is es-

timated at about \$6,000,000. The light and power company has provided emergency facilities for the newspapers and other industries to resume operations, but the city will be in darkness for at least thirty days. At a

mass meeting today a committee was appointed to meet with the city council to of some of the most notorious Chines provide immediate fire fighting apparatus and care for the homeless.

More than 6,000 feet of hose was destroyed last night and many of the local department horses rendered unfit for further duty.

Mayor McClendon today praised the efforts of the local and Little Rock fire

Partial List of Losses. An incomplete estimate of the loss

follows: Park hotel and furnishings, \$500,000; public utilities, \$350,000 to \$400,000; Southwestern Telegraph and Telephone company, \$150,000; Mariand county court house, \$300,000; Moody hotel, \$149,000; Hot Springs, High school, \$150,000; Cooper Bros., livery and transfer, \$70,000; Central

Methodist Episcopal church, \$25,000; Iron Mountain freight and passenger depots and shops, \$60,000; Dillard's laundry, \$40,000; People's laundry, \$40,000; Orange Street Presbyterian church, \$25,000; Ozark sanitarium, \$45,000; Siegler apartments.

\$65,000; Bijou rink, \$30,000; Woodcock apartments, \$35,000; Scott-Mayer Commission company, \$30,000; Plunkett-Jarrett Grocery company, \$30,000; Hot Springs, Commission company, \$30,000; Hamp-Williams Hardware company, \$50,000; about 259 business buildings, 1800,000; from 635 to 709 residence buildings, \$2,000,000.

Sixteenth Victim of Insane German Dies of Wounds

MUEHLHAUSEN, Baden, Germany., Sept. 6 .- An attempt was made today by the son of one of yesterday's victims of the shooting tragedy to kill Wagner,

in a hospital here. The number killed among the villagers

death of another wounded man. The others are recovering. It has been disclosed that the murders

and aroon were deliberate acts of vengeance which had been contemplated for six years by the murderer because the

The alleged conspiracy extends from valuable aid to weary workers among the British Columbia to Hong Kong and has night. About fifty-five city blocks are was regarded by the police as sense Secrets of the "underground" were dis-

MANY RAMIFICATIONS OF PLOT

System Extends from Hong Kong

and Has Stations in Chicago, Se-

attle, Boston and Many

Other Citics.

CHICAGO, Sept. 6 .- Discovery of an

"underground railway" for the spiriting away of Chinese criminals and fugitives from justice and to aid in the entrance of

Orientals into this country, was reported today by detectives at work on the mur-

der a Charles Sing, a Chinese merchant.

of a Chop Sucy restaurant in North Clark street, near West Illinois street. The principal haul was what the police call the "black book" of the gang, from which the alleged scheme in alding of fugitives was learned.

List of Criminals Found.

Arranged in alphabetical order were the names of the agents of the organization in the various cities, the names oriminals in the country, the police say, and instructions written in Chinese characters. The police are of the opinion that the murderer of Sing escaped by the 'underground." A man who made the restaurant his

leadquarters and who is known to have a fatality occured, and that only four persons were alightly hurt. been acquainted with Sing and his white white girls.

Following are among the cities listed in the "black book" as stations on the underground:" Oakland, San Francisco and Bakersfield, Cal.; Portland, Ore. Seattle, Wash.; Vancouver, B. C.; Ann Arbor and Detroit, Mich; Athens, O.; Boston and Cambridge, Mass.; Butte, Mont.; Columbia, Miss.; Valparaiso, Ind.

and Ensenada, Mer.

Murder Due to Jealousy. A love letter written to the white wife of Charles Sing, the wealthy Chinese merchant killed Tuesday night was found in the residence last night. It was penned by George Der Norn, a Chinese restaurant owner, and begged her to flee with him to China. The letter is the first tangible clew to the murder.

The day following the crime Der Nor urned his establishment over to a friend and has not since been seen. In his apartment detectives found photographs of the dead merchant torn to shreds and on the margins of the cardboard which had borne the pictures were crimson

stains. The searchers also found postal card photographs of about fifty white girls and on most of them were appeals for money. Stubs of money exchanges were

scattered about the room. There was also a letter from Emma Davis, sister of Mrs. Sing. "It is the old story of the lure of the Orient for the white girl, and the 'seeing'

red' on the Chinaman," asserted Police Captain Baer.

The National Capital

Saturday, September 6, 1913.

Senator Smith. Georgia, introduced an arricultural extension bill. Consideration of tariff bill resumed. Banking committee continued hearing views of bankers on currency bill. West Virginia coal operators continued the r testimony before strike investigat-or committee. mmittee.

bill countervalling duty on wood and senate agreed to this change.

The House.

Resumed consideration urgent deficiwith James A. Emery testifying.

jected when a public demonstration was made in her behalf, is to be absolute August B. Miller of the New York "boss" of the city's educational system. New Haven & Hartford railroad had That is the way Mayor Barrison put it een doing two man's work for a week following a conference late yesterday, when he ran his train by a signal at with Mrs. Young. North Haven last Tuesday morning and

"I believe the superintendant of schools wrecked the Bar Harbor express at a cost of twenty-one lives. He so testified should be superintendent in fact as well today at the resumption of the federal as in name-should, in short, be boss of the works," asserted the mayor. "If a hearing by Interstate Commerce Commismember of the board doubts her wisdom sioner McChord. On the night before the and efficiency I should advise him not wreck he slept only four hours, he said. to turn down her recommendations, but to look for a new superintendent. I have The commission's public inquiry was completed today and Mr. McChord anappointed members to the school board ounced that his report would be ready on the theory they would look after the in the near future.

business side of the administration. Noth-The New Haven road has under order ing was said about textbooks except that six steel "club cars" for use of commutthe superintendent should select them and ers to New York, costing \$15,000 each, acthat the board should adopt her recom ording to the evidence adduced by Comaissioner McChord from General Pasmendations.

senger Agent A. B. Smith. These cals are to bring a rental of \$4,000 a year from clubs using them, in addition to the egular fares charged. They will take the place of wooden club cars now earn-

Man Who Ran by Signal at New

Haven is Exhausted.

HAD ONLY FOUR HOURS' SLEEP

Covered Ris Own Run and that of

Another Engineer Who Was III

for West-Steel Cars

Ordered.

NEW HAVEN, Conn., Sept. 6 .- En-

a rent of \$2,000 a year. "Is the general public allowed to ride

on them?" asked commissioner McChord. "No, air." Mr. Smith said that steel cars for de egular passenger service were being delivered at the rate of twelve a month. The general manager of the Pulbran company said that at present his company was building nothing else but steel

cars and had 725 under order. **Prominent Women** Will Participate in Swimming Race

WASHINGTON, Sept. 6-Fifteen young nomen swimmers, among them several rominent in official and society sircles, will struggle over the three-quarter-mile course in the tidal basin next Saturday to entitle one to the title of "champion

of the bathing beach." It was announced today that the race probably would be held at sunrise be fore the Potomao drive became filled with pedestrians and automobiles. Fast on the heels of the announcement came a sudden demand for calendars which

contained the official rising time of the sun on September 13. It was indignantly denied at the capitol, however, that any all night session of either the senate or the house would be held next Friday night. The women contestants will be accompanied by several boats and every precaution will be taken to prevent ac ridents. Dr. G. L. Anderson, U. S. A.,

retired, will be in official charge of the life guards and the police of the course. M'LOUGHLIN WELCOMED

BY BIG CROWD AT HOME

SAN FRANCISCO, Sept &-Maurice E McLoughlin, United States lawn tennis champion, returned home today after a strenuous season, during which he participated in the successful campaign abroad for the return of the international Prinance committee struck from tariff Davis cup to the United States and later ill countervalling duty on wood pulp protected his American championship protected his American championship laurels in the all-comers singles and doubles at Newport. A great crowd of his fellow townsmen welcomed the young champion when he stepped off the Oak-

WILD WEST YOUNGSTERS NOT **MEMBERS OF BOY SCOUTS**

Ella Flagg Young to

Be Boss of the Works

CHICAGO, Sept. 6.-Mrs. Ella Flagg Toung, superintendent of Chicago schools, whose repent resignation, tendered be-

cause of the opposition of a few man-

ern of the Board of Education-was re-

NEW YORK, Sept. 6-The mound of oungsters who started to hike back to Chicago when Buffalo Bill's wild west show stranded recently at Denver are not

members of the Boy Scouts of America. and never have been. So said a statement put out today at the Scouts' national headquarters. The national officors denied this report because they believed its wide circulation would give a wrong impression of the character of the organization. Before the wild west show disbanded, they say, its managers were threatened with prosecution unless they discontinued representing their juvenile

> The A. B. C. of Good Shopping

actors as Boy Scouts.

When a man starts out to buy an automobile or to make any important purchase involving a considerable amount of money he doesn't rush madly forth, lay down his hard earned money and take whatever is offored.

Not at all. He wants to know something about his proposition-history, reputation, quality, past performances, reliabil-ity and what not. If he is a careful reader of his newspaper he can pick the good from the bad, the reliable from the unreliable.

However, it is not in the big things of life that we are apt to blunder. They are so big that they command attention and study. It is in the every day things-the constant and persistent expenditure of small and moderate amounts --- that the greatest wastes occur.

The first principle of good shopping today is knowledge. And we but half read our newspaper if we do not consider with care and attention the guide posts to good shopping in the advertisements of this newspaper.

the wholesale murderer, who is lying was increased to sixteen today by The Senate.

villagers tried to interfere with his mar-

riage and took sides against him in an

time sentenced to be hanged, has published the required notice in a Caldwell paper that he will apply to the board of pardons at the October meeting for a full and absolute pardon. The Metropolitan church of Waukesha, Wis., is at the head of the movement for pardon.

judges who yesterday issued the writ of habeas corpus and order prohibiting the