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SENATE PASSES A NEW SUNDAY BILL

Measure Granting Local Option to Cities and Towns Prevails by Vote of 18 to 16

JUDSON CALLS IT A "MONSTROSITY"

Employers Liability and Workman's Compensation Bill Rejected in House by Vote of 140 to 46—Senate Over-Rides Governor's Veto and Votes \$4500 to "Souvenir" Taylor—Donovan Explains His Vote.

Hartford, Conn., Aug. 1.—The bill drawn by Senator Spelly for a new Sunday law and offered as an amendment to the bill which was rejected, was passed by the senate this afternoon. This came as a surprise. The Judson bill which was favored by the Bridgeport Pastors association was rejected, 20 to 14. The debate lasted nearly all day in this branch.

Spelly's Bill as Amended. Mr. Judson had offered his bill as a substitute. Mr. Spelly had offered his bill as an amendment to the bill reported and it had been printed in the record. But Senator Judson offered amendments by Mr. Paddock removing the limit in hours for the sale of soda water, etc., and by Mr. Fenn to allow most resorts to sell meats and other perishable necessities.

Avery for Spelly Amendment. After the debate, which was very lively, the question came upon accepting Mr. Spelly's amendment. The vote was carried, 18 to 16. Those in favor were: Pierce, Hooker, Spelly, Fenn, Alsop, Halloran, Marlowe, Dickerman, Mitchell, Shanley, Marston, Lawlor, Mahan, Avery, McNeil, Meara, Barnum, Frisbie.

Those against: Bailey, Parker, Woodruff, Platt, Lounsbury, Park, Bartlett, Paddock, Peck, Judson, Donovan, Hammond, Elliott, Brinsmade, Wright and Leonard.

The Senate at Sea. The senate was at sea after the passage of this amendment for it seemed then as if the Judson bill had been rejected. But Senator Judson claimed, and the chair upheld him, that his bill was offered as a substitute for all that was before the senate. Senator Fenn then found interpreters of the amendment and Senator Paddock's was defeated.

Denounced as "Monstrosity." On the main question which was the passage of the Judson bill, Mr. Judson denounced the Spelly bill as monstrosity. He said that the local option section in it made local authorities interpreters of the law. This was an impossible condition, he claimed.

Spelly Reports. To this Senator Spelly replied that Senator Judson had maintained in the public utilities bill debate that the general assembly could transfer some of its powers to cities. Therefore, the general assembly could give local option powers to specified officials in towns and cities. The question came on the passage of the bill for that Senator Spelly and the senate refused to do this, 20 to 14.

How They Lined Up. Those for the Judson bill were: Marlowe, Frisbie, Woodruff, Platt, Park, Bartlett, McNeil, Paddock, Judson, Donovan, Hammond, Brinsmade, Leonard, 14.

Aggrieved: Pierce, Hooker, Spelly, Fenn, Alsop, Halloran, Lawlor, Dickerman, Mitchell, Shanley, Marston, Mahan, Avery, Peck, Meara, Barnum, Frisbie and Wright, 20.

In the voting it appeared that Senator Marlowe, Frisbie and McNeil voted for both bills, Senators Bailey, Lounsbury, Peck, Elliott and Wright voted against both bills. The Spelly bill was then passed and sent to the house.

Believed Judson Bill Had a Chance. In their votes Mr. Paddock said he voted for the Judson bill because it represented what the pastors had wanted and he thought it stood a chance in the house, while the Spelly bill he did not believe had a chance in the house. Mr. Paddock consented to the latter's explanation of it. Mr. Whitten offered an amendment to strike out all sections numbered 4 to 7 so that only a liability bill was left.

All Amendments Defeated. But all the amendments offered went the way of those which the senate had passed. The final vote which stood as follows:

Table with columns: COUNTY, FOR, AGAINST. Rows: Hartford (5-29), New Haven (8-18), New London (4-15), Fairfield (1-14), Windham (2-19), Litchfield (7-25), Middlesex (1-12), Tolland (5-6). Total: 46-140.

Disagreement With Senate. The action of the house is a disagreement with the senate. The outcome is that if committees of conference are appointed they are not likely to agree on anything.

Should Be Met By State Taxation. Representative Johnson of Newton claimed in debate that if the bill could be amended so that workingmen's compensation could be met by state taxation the bill would go through the house with little opposition from the members from any town.

Senate Recuses Until Tuesday. Hartford, Aug. 1.—The senate this afternoon voted to recess until next Tuesday in hope that the house will hurry along business in an effort to catch up with the senate by long way ahead. Senator Woodruff proposed the recess which had been tentatively agreed upon last week when it was seen that the house was moving slowly. Many senators accordingly made plans for a vacation this week while they had private business to look after.

OVER GOVERNOR'S VETO. Senate Votes to Reimburse "Souvenir" Taylor—Avery Sustains Veto. Hartford, Conn., Aug. 1.—The senate this afternoon passed over the governor's veto in support of William Harrison Taylor \$4500 for his legislative souvenir, the vote standing 15 to 15, and Lieutenant Governor Blakeslee dissolving the tie by voting for the bill, the veto notwithstanding. When the message came in some weeks ago it was tabled. Last week

Cabled Paragraphs

Teheran, Persia, August 1.—It is reported that Mohammed Ali Mirza left Astrabad and embarked at Gumeshtepa, for an unknown destination.

Paris, August 1.—John W. Gates' condition showed no change tonight. He was holding his own, but his strength had been fairly maintained, but the action of the kidneys was not so satisfactory.

Valencia, Spain, August 1.—A speeding aeroplane rammed the grandstand at the arena from here today causing the collapse of a portion of the stand. Twelve spectators were injured. The aviator escaped unharm.

Pyrmont, Germany, August 1.—A crowded hotel and kurhaus belonging to the Prince of Fyrmont was burned during the night. The several hundred guests, including a number of Americans, escaped. The fire was caused by spontaneous combustion in the peat used at the baths.

Paris, August 1.—Premier Caillaux today denied the report published this morning that six German soldiers had crossed the French frontier from Lorraine and were cutting the telegraph wires two of the Germans had been arrested by French soldiers and taken to the prison at Muerthe province.

GEIDEL ENTERS FORMAL PLEA OF "NOT GUILTY" Arraigned on a Charge of Murder for Death of Aged Broker.

New York, August 1.—A plea of not guilty was entered by Paul Geidel, the 17-year-old boy, charged with murdering William H. Jackson, but his counsel was given until Monday to enter a plea. The boy's lawyer asked the delay to enable him to look over the indictment, which he said he believed was invalid.

Not Hiring Counsel for Geidel. Hartford, August 1.—That the Heublein brothers, or any member of that family, have anything to do with the hiring of counsel for Paul Geidel, the youthful murderer of Broker Jackson in New York, is strongly denied by the Heublein family.

Clung to Sides of Ferryboat. They picked off scores who had clung to the sides of the ferryboat. Others, denuded and exhausted, were swept down stream to death. Among the survivors were a woman and a child.

Ferry in Midstream Capsized. The Sirus lies tonight near midstream, capsized. The vessel was formerly a private yacht and saw service in the United States navy.

Consumers Benefited by Cuban Reciprocity. Secretary of Beet Sugar Industry Concedes This Fact.

Washington, Aug. 1.—With stable tariff conditions, the United States during the next 15 years would be producing more beet sugar than it consumes in the country.

Carnegie Provides Pension for Tenth Innocent Man Who Was Imprisoned to Receive \$40 a Month.

Pittsburg, August 1.—Andy Toth, who was released from the penitentiary here last March after serving 20 years of a life term for a crime he did not commit, is now being paid \$40 a month by the Carnegie steel plant at Braddock, Pa.

Jesse Pomeroy Gets Possession of Drill Noted Prisoner Refuses to Disclose Where He Obtained It.

Boston, August 1.—Attempts to make Jesse Pomeroy, the notorious murderer, the reports of whose crimes threw this city into a frenzy of excitement, has been placed on a small boat in his cell in the Charlestown state prison, where he will remain until Saturday night.

Fatal Jump from Trolley Car. Bridgeport, Conn., Aug. 1.—Mrs. Mary Holtz, 71 years old, of 108 Waterman street, died in a local hospital tonight from a fractured skull received this afternoon by jumping from a moving trolley car.

Ferry Capsizes

SEVEN OF ITS 75 PASSENGERS ARE DROWNED.

BOAT WRECKED ON A SHOAL. All of the Passengers Thrown into the River—Many Rescued by Boats and Swimmers—Only 4 Bodies Recovered.

Massena, N. Y., August 1.—Seven people were drowned in the Lawrence river late this afternoon when the ferry steamer Sirus struck a shoal eight miles below this city, capsized and had seventy-five passengers into the river.

Four Bodies Recovered. Four of the bodies have been recovered. Three of the bodies recovered are those of women. They are Miss Hattie Parker of Ogdensburg, N. Y., Miss Nellie Parker of Ogdensburg, Miss Ada Dewey of Massena, and Floyd Hackett of Massena.

Were on a Day's outing. The steamer struck the dock here this morning for Cornwall and the Canadian side, with seventy-five persons bound for a day's outing there. Most of the aboard were residents of Ogdensburg and Massena.

All Swept Into Water. The deck was swept bare in a moment and the entire party were struggling for life in the swift waters. Women who could not swim clutched at camp stools and other portable articles hurled into the water by the impact.

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White Recites Tale of His Corruption Confessed Bribe Taker on Witness Stand All Day.

Washington, August 1.—All day Charles A. White, the confessed bribe taker of the Illinois legislature, was on the witness stand before the senate Lorimer committee, telling his tale of corruption and when the committee adjourned tomorrow his story had not been completed.

Buried Miner

Is Yet Alive

RESCUERS RECEIVE RESPONSE TO THEIR SHOUTS.

REACHED BY DRILL SHAFT

Food and Drink Passed Down to Unfortunate Miner—"I Feel Much Better Now," He Subsequently Announced.

Joplin, Mo., August 1.—After trying for 48 hours to reach Joseph Clary, imprisoned in a mine near here by a cave-in Sunday, the fourth attempt of rescuers to reach the imprisoned man by means of a drill shaft was successful this afternoon.

Voice from the Depths. From the depth of the drift, fifty feet below the surface, floated a feeble "Hello" in answer to the signals of the rescuers.

Crowd Shouts With Joy. When the rescuers announced that the drill hole, five inches in diameter, had at last penetrated the drifts, a shout went up from the hundreds who had gathered about the mouth of the mine.

Food and Drink Passed Down. "Hello, there! Hello! Hello!" a man below called from the shaft. Several seconds elapsed. Then came a feeble answering "Hello!" Food and drink in a small can were immediately passed down to Clary.

"I Feel Much Better Now." "Water about three feet deep in some places in the shaft, on a high place and it may not reach me if you hurry. The air is getting bad. I feel much better now."

THE FREE-LIST BILL PASSED BY SENATE Prediction That Measure Will Eventually Reach Taft.

Washington, August 1.—The democratic tariff programme was moved forward by the senate today and when the senate, by another remarkable coalition of democrats and republicans, passed a farmers' free list after a vote of 70 to 20.

LAD HAD 600 PENNIES IN LARGE BEER STEIN; Rush of Depositors at Opening of the Postal Savings Bank at Chicago.

Chicago, Aug. 1.—Chicago's first postal savings bank was opened for business today and \$200,000 was deposited. A line of 350 depositors stood in line at the opening, one of whom, Michael Phelan, stood in line for nine hours to make sure of first place.

\$2,238 Deposited at Boston. Boston, Aug. 1.—The results of the first day's experiences with the new postal savings plan in Boston proved highly satisfactory. The 208 accounts were opened and \$2,238 deposited.

\$3,775 Deposited at New York. New York, Aug. 1.—One hundred and seventy-two persons deposited \$3,775 during the opening day's business of the postal savings bank at the general postoffice here.

UNITED STATES MINTS IN CHARGE OF WOMAN. Miss Kelly Highest Paid Female Employee of Government.

Washington, Aug. 1.—A woman is now in actual charge of the mints of the United States. Miss Margaret Kelly, long connected with the mint bureau, was today appointed examiner, in which position she will be next in authority to George E. Roberts, the director, and much of the active administration of the coinage of money for the government will devolve upon her.

Condensed Telegrams

A case of small pox is reported at Deep River, Conn. The price of ice at New Haven was raised 50 per cent. yesterday. A London oculist suggests a one-day rest for the eye every month. Jews are being attacked and robbed in various parts of Russia.

There are indications that the reciprocity campaign in Canada will be very bitter. The taxrate at Westfield, Mass., will be \$18 per \$1,000, a jump of \$3.30 over last year's rate. Edwin A. Abbey, the American Painter, died at London at 1 o'clock yesterday afternoon.

Thirteen more of the indicted Wire Trust officials were fined \$1,000 each, bringing the total sum of fines up to \$71,400. John D. Rockefeller admits that great wealth is somewhat of a burden. He mentioned it to the Rev. Carter Helm Jones.

William B. Johnson, for 19 years clerk of the Christian Science movement church of Boston, is dead at his home in Brookline, Mass. The body of American Consul William P. Atwell, who died at Ghent, Belgium, Friday, will be brought to this country for burial.

The Louisville and Nashville railroad is accused of falsifying its reports to evade taxation in suit filed by the state of Kentucky. The deficit in the funds of the Home for Incurables of Cincinnati, of which Mrs. Dora C. Gallagher was treasurer, amounts to \$29,317.25.

The Southern Pacific Will at Once begin construction of a railroad from Eugene, Ore., across the coast range of mountains to Coos Bay. Acting Fire Chief John Kenyon has been appointed by Fire Commissioner Johnson to succeed Fire Chief Croker of New York, who recently resigned.

John Ridgeley Carter, United States minister to Roumania, Servia and Bulgaria, will be appointed minister to Argentina, succeeding Charles H. Sherrill. Edwin M. Herr was Elected President of the Westinghouse Electric and Manufacturing company at a special meeting of the board of directors yesterday.

The Philadelphia excursion steamer Burlington, with 100 passengers aboard, struck a rock in the Delaware river and sank. All the excursionists were rescued. Dr. Joseph A. Holmes, director of the Bureau of Mines, will embark at Seattle August 4 for Alaska, where he will make a thorough inspection of the mines there.

The Engagement of Miss Madeline Hume, daughter of William H. Hume, of Chicago, to Frederick A. Sturges, was announced. The couple have been engaged for some time. John R. Walsh, former president of the Chicago National bank, convicted of misappropriation of funds, will make a statement before the senate tomorrow.

Actual work on the preparation of plans for Chicago traction subway was begun when the board of engineers appointed by Mayor Harrison to build the big bore held its first meeting. With a Cargo of Books, Medical Supplies and provisions consigned to Dr. W. P. Grenfell for his Labrador mission, the three-masted schooner George B. Cluett left New York yesterday for the north.

Six members of the Long Acre Club of Bridgeport, who were arrested in a liquor raid upon the Long Acre Sunday, July 23, pleaded guilty to maintaining a disorderly house and were each fined \$25 and costs. The General Arbitration Treaty between the United States and Great Britain and the United States and France will be signed at 3 o'clock on Thursday afternoon in President Taft's office at the White House.

Severe criticism of the Supreme Court of the United States marked the speech of Senator Owen, of Oklahoma, yesterday of a paralytic stroke. The adoption of his bill providing for the election and recall of federal judges. At Least Eight and Perhaps Ten lives were lost in a fire which partly destroyed one of the main buildings of the insane asylum in the state of Vermont southwest of Hamilton, Ont., yesterday.

Capt. Albert Gallatin Cummings, widely known in the construction of steel works of Pennsylvania and an inventor of night and aeroplane detectors, died at his home in Millersburg, Pa., Monday night. Mrs. Oliver O. Howard, the Widow of Major General Oliver O. Howard, the famous Civil war officer, who died about a year ago, died at Burlington, Vt., yesterday of a paralytic stroke suffered several days ago.

So successful has been the operation of the American leper settlement on the island of Ceylon in the Philippines that the British government has formally requested permission to transport to that place for treatment about 40 lepers now at British North Borneo. Wairs, Boats and Seines Were Damaged to the amount of several thousand dollars by the northeast gale of Friday night, and for the next two or three weeks the sailing and fishing on the eastern Maine coast must suffer in consequence.

The Coffee Trust, the Steamship Trust and other concerns which are charged with making illegal trade agreements abroad and carrying out their effect in the United States will be prosecuted by the department of justice. Proposed increases in communication passenger fares by the leading railroads operating in and out of New York city were held by the Interstate Commerce Commission to be reasonable generally, except in the case of the Pennsylvania railroad, whose communication rates are declared excessive and are ordered reduced. Pope's Illness Due to Heat. Rome, Aug. 1.—The condition of Pope Pius, although not quite normal, is not alarming in the slightest degree. The weakness following the last indisposition of his holiness has been due chiefly to the exceptional heat.

Fortune Dwindled to \$103.17. San Francisco, Cal., Aug. 1.—An that is left of the fortune made in the betting by Stanley Ketchel, once middleweight champion, came to \$103.17 when his estate was settled today in the probate court.

Baldwin Vetoes

Divorce Grant

QUESTIONS LEGISLATURE'S POWER IN THE MATTER. BARRED BY CONSTITUTION

Fourteenth Amendment Provides for "Equal Protection of the Laws"—An Interesting Point in Norfolk Case.

Hartford, August 1.—The second veto of Governor Baldwin was sent to the senate this afternoon. It returned the resolution which passed both houses granting a divorce to Herman O. Schmidt of the case of Schmidt and Agnes Lisiecki Schmidt, but with a proviso which postpones the taking effect of the divorce to some future time.

Opens Up Unique Question. The veto message created unusual interest among the lawyers in the assembly. It opened up a unique question. The message says, in returning the resolution, that it purports to dissolve the marriage relation of Schmidt and Agnes Lisiecki Schmidt, but with a proviso which postpones the taking effect of the divorce to some future time.

The Governor's Objections. The governor's objections are: In my judgment all legislative divorces granted by the constitution of the United States. There are but few states of the union in which they have been permitted. Congress, for many years past, has refused to legislate in the territories of the United States. Previous Legislative Divorce Cases. Prior to the adoption of the Fourteenth amendment to the constitution of the United States two cases of legislative divorce in Connecticut came before the supreme court of errors and their validity was sustained by a divided court. The first and main case was so decided on grounds that have since been declared untenable by the same court.

Bearing of Fourteenth Amendment. At the dates of the two cases first mentioned the power of a state to grant such a legislative divorce was not limited by any provision in the constitution of the United States, but in 1868 the Fourteenth amendment to that constitution was adopted, one of the provisions of which is that no state shall deny to any person within its jurisdiction the equal protection of the laws; which means, in the language of the supreme court of the United States, "the protection of equal laws."

Would Deny Woman Equal Protection of Law. The divorce which the resolution under consideration purports to grant seems to me to deny to Agnes Lisiecki Schmidt the equal protection of the law. Superior Court Has Exclusive Jurisdiction. General statutes, section 4561, provide that "the superior court shall have exclusive jurisdiction of all complaints for divorce."

Must Be by Decree of Judicial Tribunal. If other married women are divorced at the suit of their husbands, it must be by a decree of a judicial tribunal before which they are summoned and may be heard in their own behalf, nor can such a divorce suit be maintained, except for certain wrongs specified in the general statutes, by the general laws of Connecticut, protected from any attack, other than one conducted in due legal form, before a court of justice, and for which good cause is judicially found to exist. It is only to Agnes Lisiecki Schmidt that this conditional immunity from divorce is denied.

DR. WILEY CONTINUES BEER INVESTIGATION. Reading of Brewery Advertisement Evokes a Caustic Comment.

Washington, Aug. 1.—Dr. Harvey W. Wiley's beard of food and drug inspection today commented on a hearing on the question "What is beer?" and still somewhat unlightened will continue to gather information from chemists and brewing experts before announcing a decision. John R. Mauff of Chicago read from advertisements of brewers claiming their beer was made from malted barley and hops when in reality none of these ingredients were used. One advertisement read: "If you only knew what we know about beer, you would drink no other than our beer."

"Yes," commented Dr. Wiley, "maybe you would know what they know about beer we would not drink any beer at all." BALTIMORE LIONIZES AVIATOR HARRY ATWOOD Citizens Carry Him on Their Shoulders After a Flight.

Baltimore, August 1.—Harry N. Atwood, the Boston aviator, at 4:40 o'clock this evening, ascended in a Wright biplane from Prospect park, several miles southeast of this city. View to the center of the city circled over the skyscrapers, made a complete circuit of the city and returned to the park 22 minutes later, having covered an estimated distance of 22 miles. When he alighted from his machine he was seized and carried around the field on the shoulders of spectators.

MAY BE THE REMAINS OF ASST. ENGINEER MERRITT Skeleton With Two Gold-Filled Teeth Found on the Mains.

Havana, August 1.—Workmen in exploring the ward room of the battleship Maine found today portions of a human skeleton, including the skull of two of the teeth in the upper jaw were filled with gold. It is suggested that the bones possibly may be those of Assistant Engineer Merritt. A description of the teeth has been cabod to Washington in the hope that the authorities there will be able to make an identification. In the ward room also were found several suspender buckles.

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