

JUDGE EXPELS TWO FROM COURT

TRIAL OF LEE O'NEIL BROWNE IN CHICAGO BRINGS DEVELOPMENTS.

SENSATION IS CAUSED

State's Attorney Proposes to Take No Chances of Jury's Being Influenced By Spectators in Case of Man Charged With Connection With Lorimer Bribery Scandal.

Chicago, June 14.—The expulsion of two spectators from the trial of Lee O'Neil Browne today gave emphasis to State's Attorney Wayman's declaration that he will take no chance of undue influences on the jury. The men removed from Judge McSorley's court were Ernest Krulwich, a west side politician, and Henry Wagner. The latter owes his embarrassment to his audible expression as to the guilt of the defendant. Mr. Wayman said he had not seen Krulwich doing anything wrong, but during the trial of "Skinny" Madden, a labor leader charged with extortion, Krulwich had brought suspicion upon himself by shaking hands with Madden in front of the jury. Krulwich was one of the politicians indicted two years ago charged with primary election frauds. The indictments were rendered nugatory, however, when the primary law was declared unconstitutional.

Would Bar Looks.

During the cross-examination of Representative Charles E. White, who alleged that Browne paid him \$1,000 to vote for William Lorimer for United States senator, W. S. Forrest, chief counsel for the defendant, created a stir by demanding that Detective McGuire, who did much of the state's investigating in the bribery scandal, keep his eyes away from the witness. Mr. Forrest intimated that McGuire was signaling White how to answer. Judge McSorley ruled that McGuire had a right to be where he was, however.

The defense, on cross-examination, began an attack on the character of White with the design, it is said, of charging that the present allegations grew out of an unsuccessfull blackmailing scheme of White's. Wishing to introduce some of White's letters to Browne, Mr. Forrest ran against a snag when the court ruled that before being accepted as evidence, White must first identify them. Evasive replies visibly nettled the Browne legal battery. Here is some of the dialogue: "Is this letter in your handwriting?" "It appears to be."

"Are you sure of it?" "I'm not positive about it."

"Did you address an envelope for this letter; did you seal the envelope; did you place a postage stamp on it and did you mail it?" "I'm not positive."

Eventually two letters were identified. In one of them, written subsequent to the election of Senator Lorimer, White said:

"I have only 90 cents in the world. If you will fill in the enclosed promissory note for whatever money you will loan me, I will be glad."

The note—made out for \$50—also was placed in evidence and others, aggregating \$100, were introduced. Some of the expressions used in letters which the defense attempted to introduce were:

"By the grace of God, every cent you have let me have, I will return."

"I have my ring in pawn for a few dollars."

"The future is sure to bring surprises. Do not be surprised at anything I may do in the future."

By the latter expression the defense will argue that White was attempting to blackmail Browne. A letter written by White to Senator Lorimer was read to the jury. In it, White said he was about to place his experience as a legislator before the public. He said he had been offered \$225 a word for it. Mr. Forrest asked him if he had submitted the story to certain magazines which he named. Witness admitted that he had not.

"Did you offer it to the Chicago Tribune?"

"Yes, sir."

White at this point produced his contract by which the Tribune agreed to pay him \$3,250 for his story of the alleged bribery. Part of this sum, White said, had already been paid him.

TO MAKE FLIGHT.

Topeka, Kan., June 14.—J. C. Mars announced today that he would attempt to fly from Topeka to Kansas City tomorrow morning in his Curtiss biplane for a prize of \$5,000. He will stop at Lawrence and Olathe. He expects to travel the 67 miles in three hours, including stops.

LIFT BAR ON ATHLETICS.

Rock Island, Ill., June 14.—The Augustana synod today, after a spirited fight, by a vote of 219 to 192, reinstated intercollegiate athletics at 118 state educational institutions under its control. Football alone is barred. Athletics were abolished five years ago.

CONSERVATION ROASTED BY HEYBURN

IDAHO SENATOR CHARACTERIZES WITHDRAWAL OF LAND AS 'IMPERTINENCE'

"SOLITUDE; PRESERVE"

Forestry Policy Is Roundly Condemned, as Barring All but Miners and Prospectors—Hughes of Colorado Takes Up Discussion—Carter's Amendment Blocked—No Action.

Washington, June 14.—When the senate today resumed the consideration of the public land withdrawal bill, Mr. Heyburn declared that the proposition to withdraw the public lands for so-called conservation to be a "political impertinence on the part of the people of the east." He said in the great falls of the Potomac there was "enough water power to move every wheel in the District of Columbia."

Conservation should begin at home, he said, and he advised the national government to give its attention to the water power possibilities near the centers of population, where they would be made available.

Asserting the government had spent five times more than the receipts in its forestry policy, he said: "We are drawing on the national treasury to create game preserves and solitude."

Outlining the pending bill, he declared its purpose to be the withdrawal of all the public lands so as to leave them open only to miners and prospectors. "And now comes this apostrophe of fallacy and ignorance, the ex-forester of the United States, who is reported to be opposing this exception," he added.

Declaring the former forester had been in Europe imbibing foreign information "and doing some other things that we know less about," he said that the government experts never had found a mine. The consequence of the forester's policy would be the prevention of extension of mining in the United States.

The result would be, he contended, that in another generation the present mines would be worked out and there would be no more activity in that direction. This, however, would be the inevitable result of following "this censor of the morals and manners of the people."

Hughes Buys Chips.

Senator Hughes of Colorado, declared the present tendency was toward a feudal system, "like that which had disgraced Ireland and made progress in Germany impossible."

Mr. Hughes scoffed at the idea that the country's resources were being exhausted and declared it would take 900 years to mine the coal in Colorado alone. In addition he quoted reports of the geological survey to show mining in the world. He declared that there were 7,000 years open to coal mining in the world. He declared that in the progress and prosperity of the west the dilettante and the amateur who would tell the people what to do with the water of their streams would find a telling rebuke.

"And now the men who have built up that great region are to be taught in a kindergarten school," he exclaimed, and added that "this would be amusing if it were not tragic."

He took the position that future generations should work out the problems of their day and said it was not desirable to make "molly coddlers" of them by leaving them to do it. He would continue to protest against any doctrine that would retard the development of the country as he contended the conservation policy would do.

Senator Carter offered an amendment to the bill, the provisions of which heretofore had passed the senate, authorizing the issue of \$30,000,000 of certificates of indebtedness with which to complete existing irrigation projects. Senator Heyburn opposed the amendment and the senate adjourned without action.

BRIEF IS FILED.

Jefferson City, Mo., June 14.—Attorneys for the International Harvester company of America today filed briefs in the ouster suit brought for alleged violation of the anti-trust laws. The brief contends that, inasmuch as the company handles 21 lines of business and does the greater part in only two—mowers and binders—and then at reasonable prices, it does not violate the anti-trust laws.

LAND BOARD REPORTS.

Helena, June 14.—(Special)—According to the report of the secretary of the Carey Land Act board, of the 1,000,000 acres which Montana may reclaim under the law, 544,914 acres have been applied for. During the life of the board, 29,000 acres have been sold to 350 entrymen, the price being from \$40 to \$50 an acre. There have been 87 patents issued to entrymen under the act.

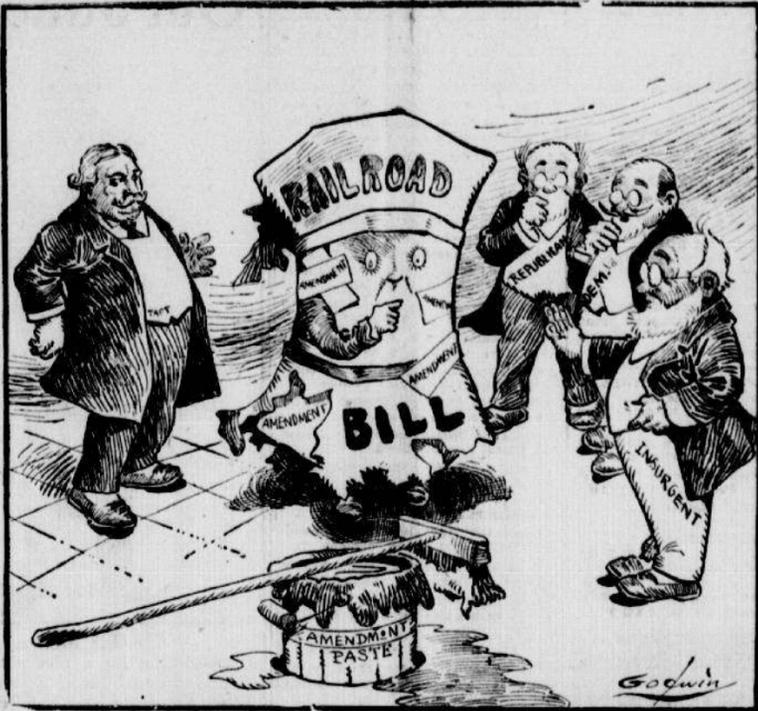
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GROSSCUP SPEAKS.

Philadelphia, June 14.—"Democracy—Its Final Place," was the subject of an address here tonight by Judge Peter S. Grosscup of Chicago, before the members of the law academy.

A LITTLE GROGGY, BUT--



WRIGHT INJUNCTION REFUGEES' PLIGHT OGDEN IS SELECTED IS VACATED BY COURT TOLD TO RULES COMMITTEE FOR DRUMMERS' MEETING

FAMOUS BROTHERS LOSE POINT IN SUIT FOR INFRINGEMENT OF PATENT.

New York, June 14.—Orville and Wilbur Wright lost a point today in their court fight to protect the patents covering their aeroplane from alleged infringements by Glenn H. Curtiss and Louis Paulhan, the French aviator. By unanimous decision the United States court of appeals vacated the temporary injunctions obtained by the Wright company against Paulhan and the Herring-Curtiss company, pending trial of suits that will determine whether there is any infringement.

The decision cites that the only question involved is whether, in the defendant's aeroplane the tendency to swerve or spin is counteracted by means of a vertical rudder. Following the issuance of the temporary injunction affidavits were submitted by both sides which present sharp conflict in the evidence. Under the circumstances, the court says, the infringement is not so clearly established as to justify a preliminary injunction.

The order against the Herring-Curtiss company was granted some time ago at Buffalo by Judge Hazel; the Paulhan injunction was issued by Judge Hand.

Turner said he had discovered city detectives in the Los Angeles postoffice examining the mail of Mexican residents there. He also told of the suppression of many small newspapers, published by Mexican refugees in various cities in Texas, California and Arizona. He declared they were suppressed by the authorities through suits for libel and arrests of the editors and other means. He described the destruction of a printing plant belonging to a Mexican in Tucson, Ariz., which he said was broken into and the contents of the office wrecked. Other newspapers, he said, had been compelled to cease publication through the government withdrawing the second class mail privilege. None of the editors, he testified, had ever been convicted of libel, but the expense of defending themselves in court caused the suspension of their newspapers.

LARGE DELEGATION TO ATTEND MEETING

Kalspell, June 14.—(Special)—Many women arrived today to attend the sixth annual meeting of the State Federation of Women's clubs, which begins its opening session here tomorrow and will last for three days. Elaborate preparations for entertaining the federation have been made by the Century club of this city. Clubs from the surrounding towns of the valley will all be entertained at grand receptions to be given on two evenings. Arrangements for housing the delegates, who have overflowed the hotels, have been made in advance by finding rooms for them in the homes of the club women of Kalspell. The meeting will last for three days.

MURDEROUS ASSAULT.

Butte, June 14.—(Special)—Caribino Binchi is under arrest, accused of a murderous assault upon Anello Petroni, at a ranch near Meaderville, and Petroni may die. The assault was made with a knife which had a blade at least six inches long. After the assault the would-be murderer fled and was captured after a strenuous chase across country, through the wildest part of the Butte district.

DOCK INQUIRY.

Helena, June 14.—(Special)—The state railroad commission today ordered a hearing to be held at Kalspell on June 28, on complaints that the dock and wharf facilities at Flathead lake are inadequate for the expeditious handling of the business. The complaint is, there are not enough docks on the lake to handle the traffic.

BURNED TO DEATH.

Corning, N. Y., June 14.—Clarence Buck and his son, Bernard, were burned to death in a fire which destroyed their powder factory operated by the Buck Manufacturing company at Coudersport, Pa., late yesterday afternoon. The elder Buck was the inventor of a so-called "safety" powder, which was manufactured by a secret process.

NEW OFFICERS.

West Point, N. Y., June 14.—Eighty-two cadets will receive commissions as second lieutenants tomorrow at the graduating exercises of the United States academy. Frederick S. Strong, Jr., of Troy, N. Y., heads the class.

HOUSE ORGANIZATION HEARS NUMEROUS TALES OF CRUELTY TO MEXICANS.

Washington, June 14.—"Mother" Jones today addressed the rules committee of the house in behalf of the Mexican refugees, who, it is alleged, are being persecuted in the United States through the agencies of American officers and Mexican government spies.

Mrs. Jones related that while she was in Douglas, Ariz., addressing a meeting of the "unorganized" slaves who work in the smelters, she had witnessed the kidnaping of a Mexican refugee named Senrabis, who, she said, was seized, strangled, thrown into an automobile and carried across the line into Mexico.

"Mother" Jones denounced President Diaz for sending his "hiredlings" across the border to crush the constitution of our country.

John Kenneth Turner, a magazine writer, and John Murray, a newspaper writer, continued the testimony. The offering of evidence was finished today and the committee will decide within a few days whether an investigation by congress shall be recommended.

MANHATTAN THRILLED BY YOUNG AERONAUT

New York, June 14.—Fred L. Owens, a youthful aeronaut of Belleville, N. Y., gave Manhattan a new thrill today by suddenly appearing in a sausage-shaped dirigible balloon over the lower part of the city. He had flown nine miles from Belleville and crossed the Hudson without mishap, but on reaching the city hall district, his troubles began. Over-zealous volunteers standing on the roof of the courthouse seized his drag rope, causing the craft to veer and strike the building, twisting the framework and putting the propeller out of commission. Thus helpless, the wind caught the balloon and bore it erratically over the East river, where it landed among groups of trees and trolley wires. Firemen rescued Owens uninjured.

JOHN H. FARMER DIES OF BLOOD POISONING

Helena, June 14.—(Special)—John H. Farmer had his leg soon some time ago and it was a week before he was brought to Helena for treatment. Blood poisoning had set in and, though the leg was amputated, it did not avail. Mr. Farmer was a civil engineer and had been a resident of Helena since 1886. He was employed on the survey of the Montana Central, had been city engineer of Helena and was a member of the last legislature. He leaves a wife and two children.

SUSPECT RELEASED.

Leavenworth, Kan., June 14.—Dean Erhart, who was arrested last night in connection with the murder of Mrs. Katherine Schultz, the wealthy widow, whose body was found in the ruins of her home here last week, was released late this afternoon. A comparison of his finger prints with those found on a window of the burned house showed no resemblance.

FIRE IN CANADA.

Winnipeg, Man., June 14.—Rangers have been ordered out to fight a serious fire raging in the timber for a radius of 50 miles north and west of Fort Williams Ont. The village of Hymers is surrounded and the houses of 40 settlers in Congee township probably are doomed.

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FROM CONFERENCE TO SENATE GOES ADMINISTRATION BILL

Railroad Measure, Both Mangled and Strengthened, Presented to Upper House by Elkins.

LONG AND SHORT HAUL RULE OF HOUSE TAKEN

Interstate Commerce Commission Is Given Ten Months in Which to Pass on New Rates, However—Result of Week's Work by Conferees and Four Months' by Statesmen to Vote Today.

Washington, June 14.—The conference report of the administration railroad bill was presented to the senate at 4:30 o'clock today by Chairman Elkins of the senate committee on interstate commerce law. It was laid before the house later in the day, but under the rules, can not be acted upon until disposed of by the senate. It represented one week's work by the two houses and nearly four months' continuous consideration in one or the other.

At the request of several senators the report went over until tomorrow, when an effort will be made to secure its adoption. The two democratic conferences did not sign the report and Senator Newlands gave notice he would present a minority report, generally speaking, the work of the conferees is declared to be satisfactory to the senate, although it follows lines of the house bill. A number of the amendments secured by "insurgent" conferees, however, were retained. So far as has been indicated, the only objection to the report that may be raised in the senate relates to the retention of the house provision on long and short hauls. Some western senators favored the retention of the senate provision, because the house amendment might be declared unconstitutional.

The last amendment disposed of by the conferees related to the period for which increases in rates might be suspended by the commission. The conferees accepted the senate provision of ten months. As perfected by the conferees, the bill carries most of the features of the original administration measure, except the provision for railroads to make agreements, to authorize the government to regulate the issuance of stocks and bonds and to permit a railroad to purchase the remaining stock of another line in which it already controls 50 per cent of the stock. So much opposition developed in both houses against these provisions all except the securities section were abandoned outright. The house bill retained the section providing for federal regulation of securities, but it was objectionable to the senate, chiefly because of the opposition of the democrats.

In place of the house provision, the conferees incorporated a clause authorizing the president to appoint a commission to investigate the issue of railway stocks and bonds. Expenditures by the commission were limited to \$25,000 and it was not given authority to summon witnesses or compel the production of books and papers. The bill, as perfected, creates a commerce court composed of five judges, the first of whom are to be selected by the chief justice of the supreme court. This court will have jurisdiction over all suits brought to enforce or to set aside orders of the interstate commerce commission.

Other sections enlarge the power of the commission over railroad regulations and place under the jurisdiction of the commission, telephone, telegraph and cable companies, whether wire or wireless, and extend the jurisdiction of the commission over bridges, ferries and terminal facilities. General provisions are made to compel railroads to furnish rates upon application and authorizing the commission to institute inquiries on its own motion. By provisions adopted by the house and retained by the conferees, the scope of the commission to make regulations was enlarged. It is provided that a consignee of freight shall have the right to designate by which of two or more routes his shipment shall be transported. The striking difference between the house and senate bills were reconciled as follows:

Reconciled Sections.

The new court will be known as the commerce court as provided by the house instead of a court of commerce as desired by the senate. The method of selecting the judges to form the court is a senate provision. Another senate amendment permits appeals to the supreme court granting or continuing injunctions to restrain the enforcement of orders of the commission. It is required, however, that the appeals be taken within 30 days.

It was provided by the house bill that the commerce court should not issue injunctions, suspending orders of the commission, where irreparable damage would ensue. To that provision the conferees added a senate amendment requiring three days' notice to the commission and to the attorney general and that the suspension should not be for more than 60 days. The senate provision that all parties in interest to a proceeding before the commission should be notified of its commencement was stricken out, but the provisions of the house and senate bills in regard to the appearance of

parties in proceedings in the commerce court by intervening, or on motion or otherwise, was retained.

Under the senate amendment adopted, railroads will be required to designate an agent in Washington to receive service in any proceedings against it. The conference report leaves out the house provision extending existing law to water transportation between the Hawaiian Islands and also over the district of Alaska. The house provisions requiring railroads to provide reasonable facilities for operating through routes and for the exchange and return of rolling stock, is retained.

The report retains the house provision requiring railroads to establish and enforce reasonable classification of property for transportation and regulations as to classifications, rates, tickets, receipts and bills of lading. The provision placing telephone, telegraph and cable companies under the jurisdiction of the commission is that adopted by the house, with a further provision agreed upon in conference that messages be classified into day, night, repeated, un-repeated, letter, commercial, press, government and such other classes as are just and reasonable and authorizing different rates for different classes of messages. In respect to the use of the telephone, telegraph and cable franks, it is provided that they shall not be prohibited when used by officers, agents, employees and their families.

The house provision for the physical valuations of railroads was stricken out, but the amendment authorizing the owner of a lateral branch line to require a main line of railroad to make proper connection was retained.

Long and Short.

To the house provision on the subject of long and short hauls, which is designated to prohibit railroads from charging a higher rate for a short haul than for a long distance was added the following:

Whenever a carrier by railroad shall in competition with a water route or routes reduce the rates on the carriage of any species of freight to or from competitive points, it shall not be permitted to increase such rates unless after hearing by the commission, it shall be found that such proposed increase rest upon changed conditions other than the elimination of water competition. This provision was added in lieu of far more radical provisions introduced by Senators Simmons and Barton and adopted by the senate.

A senate amendment submitted by Mr. Shively of Indiana, authorizing shippers to sue railroads for damages resulting from misquotations of rates was eliminated. The house amendment to prescribe a penalty for attempting to obtain advantage in the matter of rates through false representations was retained. The conferees also accepted the house provision striking out the specific language of the present law as to the objects about which complaints may be filed, and authorizing the commission to make investigations on its own motion to the same extent as though complaint had been filed. In retaining the senate provision authorizing the suspension of an increased rate for 10 months and putting the burden of proof upon the railroad as to the reasonableness of such increase, the conferees added a provision:

"The commission shall give to the hearing and decision of such question, preference over all questions pending before it, and decide upon the same as speedily as possible."

Senator Paynter's amendment requiring the issuance of waybills indicating the old and the increased rates and to require railroads to reimburse shippers for the amount of the increase in the event the commission declared it unjust, was stricken out. The house provision authorizing the commission to make through routes between suburban or interurban and steam railroads was retained. Railroads and their agents will be prohibited, through the retention of a senate amendment from disclosing information concerning shipper's business, except under due process of court.

The conferees struck out the senate provision requiring the commission to make an analysis of classification and tariffs every six months. Senator Overman's amendment in reference to interlocutory injunctions that restrain the action of the officers, was accepted by the conferees. Both the house and the senate provided that the new law shall take effect 60 days after passage. The conferees, however, inserted a provision that section 12, increasing the right of the commission to suspend proposed rate increases and section 16, which authorizes the commission to appoint a committee to study stocks and bonds, shall take effect immediately.