

PANIC-STRIKEN FEDERALS PUSHED BACK OVER BORDER

NOISY ATTACK BY THE REBELS ON OJINAGA BRINGS ABOUT WILD SCENES.

AMERICANS ARE ALERT

Generals Salazar and Orozco Draw Revolvers to Force Mutinous Men to Fight But Have No Success—Terror-Stricken Men Cross Line and Are Forced to Return.

Presidio, Texas, Dec. 29.—The northern division of the Mexican federal army was apparently demoralized tonight. With its dead and wounded stretched over the hills and some of its soldiers fleeing in panic across the United States border, only to be pushed back again, the 4,000 federalists who had made a dramatic retreat from Chihuahua to Ojinaga, the little Mexican village opposite here, were scattered in all directions as a result of their first battle with the rebels.

Forty-two hundred rebels sent by General Francisco Villa from Chihuahua literally got terror through the federal ranks. It was preceded by a three hours' battle begun after dark, in which the rebels, marching through the deep canons south of Ojinaga, completely wiped out the federal outposts. The news of the defeat at La Mula pass and La Mulato, giving the rebels an unobstructed passage to within firing distance of Ojinaga itself, caused a frenzied retreat among the federalists.

About 400 of them plunged into the river to seek safety on the American side. They were forced back again by Major McNamee, commander of the American forces.

Mutiny in Forts. A mutiny also developed in Ojinaga forts. General Salazar and General Orozco, believing their men were about to desert, stood with drawn revolvers threatening to shoot those who did not obey. Several federalists fell at the feet of their generals. The badly wounded were only allowed to remain on this side, and these were cared for by Dr. Burnside of the United States army.

The killed on both sides was small, but many were reported wounded. In their rear after killing the outposts, the rebels were said to have left behind a field strewn with disabled federalists who had fallen face downward from exhaustion in their efforts to remain in the fort.

The rebels' heliograph darkness afforded them an opportunity of safely getting within firing distance of the village, waited for dusk before their onslaught. They then began like a maddened horde to savor in toward the federalists with cries of "Mexico libre!"

The voices of the rebels and their continued shooting was a terrifying omen to the federalists, who scattered at once. All firing had ceased by 10 o'clock.

The night's activities were by no means decisive. Whether the federalists will be able to repossess the frightened troops or whether the latter will scatter into ineffective bands remains unsettled.

Various reports were received by Major McNamee that hundreds of federalists ranging from a dozen to several hundred had crossed and cavalry has been sent to search for and surround them.

General Salvador Mercado, who was relieved of command in favor of Castro, and who appeared on the Mexican side after he had been reported to have crossed the river, was in Ojinaga.

When the approach of the rebel army was distinctly known, General Salazar is said to have forced his men to go out to fight, saying he would summarily execute them if they did not. This was given as the reason for the scattering of the forces.

Such of the federalists as were too seriously wounded to cross were cared for.

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SHACKLETON PLANS TO PUT WINGS ON SLEDS

London, Dec. 29.—An interesting feature of the equipment to be used by Sir Ernest H. Shackleton on his proposed expedition next year across the Antarctic continent will be sledges driven by aeroplane engines and an aeroplane with clipped wings to aid in propelling the sledges over the ice. Sir Ernest plans to land at latitude 78 degrees south on Weddel sea, at the beginning of November, 1914, and expects to arrive in Ross sea on the other side of the pole in March, 1915.

FATE OF SCHMIDT IS IN BALANCE WITH JURY

FOREMAN SEEMS TO THINK THE DELIBERATIONS WILL BRING DISAGREEMENT.

New York, Dec. 29.—A possible disagreement of the jury in the case of Hans Schmidt, the German priest who has been on trial three weeks on the charge of murdering Anna Amuller, was indicated at midnight tonight. At that hour the jury had been out nearly 18 hours. They reported to Judge Warren W. Foster of the court of general sessions that they had been unable to reach a verdict. The judge directed them that in the interest of justice they ought to deliberate further, and the jury returned again.

The trial of the one-time assistant rector of St. Joseph's church came to a close early this afternoon after Judge Foster had briefly charged the jury, which had heard Schmidt's counsel describe the man as tainted with hereditary insanity. The prosecution held that Schmidt was sane at the time he killed Anna Amuller, cut her body up and threw the pieces into the Hudson river. He has been shamming insanity, counsel for the state contended.

The foreman of the jury in reporting that a verdict had not been reached said he feared it was a "hopeless case." He said that some of the jurors had refused to discuss the case at all. Judge Foster warned them they must in obedience to their oath. They retired and were locked up for the night. Judge Foster sending in word he would receive the verdict in the morning if one was reached.

REV. MR. BANG DIES.

Christiana, Norway, Dec. 29.—The Right Rev. Anton Christian Bang, bishop of Christiania and primate of the Norwegian church, died today. He was born in 1840.

Bishop Bang was at one time secretary of the late King Oscar of Sweden when Norway and Sweden were united under one flag. He delivered the coronation sermon when Norway bestowed the crown on the Danish prince, Charles, in 1905.

FREE SOUP KITCHEN.

Stockton, Cal., Dec. 29.—A mass meeting will be held tomorrow afternoon to determine upon the advisability of establishing a free soup kitchen for the unemployed. The city commissioners and supervisors are willing to do all within their power, but a public discussion has been urged before any action is taken.

QUAKER OATS SUED ON A QUEER DEAL

Chicago, Dec. 29.—The Quaker Oats company, its directors and the directors of the Great Western Cereal company were made defendants in a suit for \$10,000,000 damages filed in the United States district court here today by William A. Tilden and Charles D. Thompson, receivers of the cereal company. The suit was brought under section 7 of the Sherman anti-trust law, and was the result of the sale of the trade names and principal properties of the cereal company to the Quaker Oats company, June 23, 1911.

The \$10,000,000 realized by the sale, it was charged, was taken by the holders of \$1,000,000 of the cereal company's bonds, leaving the holders of \$3,000,000 worth of stock only the name of the company and minor property assets. The law, it was held, provides that complaining stockholders can claim punitive damages in three times the amount of the capital stock.

The declaration charges that the two companies control 90 per cent of the interstate trade in oatmeal products. It charges that the transfer of

brands and the plant at Fort Dodge, Iowa, and the plant at Joliet, Ill., was made without knowledge or consent of the stockholders.

In order to accomplish the sale and procure a colorable ratification thereon on the part of the stockholders of the cereal company, the declaration charges, "the directors contrived to obtain proxies from the stockholders to be voted at a general meeting of the stockholders."

The proxies were obtained, it alleges, without disclosing the purpose of disposing of the property, and were voted at a meeting at which only two stockholders were present. The receivers alleged the sale was void as having been made without the consent of the stockholders.

The receivers were appointed in March, 1912, on the complaint of a creditor that the company was insolvent.

The transfer of the properties in 1911 was made the basis of a civil suit against the same set of defendants charging violation of the Sherman law. It is now pending.

HE'S NOT SO SURE



WHITMAN TO ASSIST INVESTIGATOR OSBORNE

GRAFT IN MONROE COUNTY INCLUDED THE ROBBERY OF A GIRL STENOGRAPHER.

New York, Dec. 29.—District Attorney Whitman advised evidence today at his John Doe inquiry into state highway graft of alleged crimes committed in Ulster and Monroe counties and announced that he would turn the evidence over to James W. Osborne, Governor Glynn's special graft investigator, and to the district attorneys of those counties for prosecution.

The evidence of alleged crime in Monroe county consisted of an affidavit by Frank W. Truesdale of Greece, that the price he and his partner received for a state contract for oiling a road had been increased to permit them to contribute \$300 to the democratic state committee; the evidence in Ulster county consisted of testimony by Miss Mary Diamond, stenographer, that she had been carried on the payroll of the highway department as a day laborer and that her signature on a voucher for her pay had been forged and part of her pay withheld. Evidence was also adduced to show that payrolls for state road work in Ulster county had been padded.

SALE NOT APPROVED.

Helena, Dec. 29.—(Special)—The supreme court today dismissed the application of C. A. Garvely of Powell county for a writ of mandate, directing the state board of land commissioners to approve a sale of certain land made by the state land register. After the land had been knocked down to Garvely the board was assured of a higher price if the tracts were again offered at auction, so it declined to approve the Garvely sale.

ARBITRATION BEGINS.

Cleveland, Dec. 29.—Arbitration hearings upon the demands of the members of the order of Railway Telegraphers of the Wheeling & Lake Erie, Wash-Pittsburgh Terminal and West Side Belt railroads was begun here today. The operators are asking a 15 per cent increase in pay and better working conditions.

MURDERS HIS BRIDE.

Republic, Mo., Dec. 29.—After a quarrel said to have been due to jealousy, Ollie Blades, a young farmer, shot and killed his bride of a month, near here today, according to a confession which the police say Blades made immediately after the shooting. Blades is under arrest. Mrs. Blades was 15 years old.

EARTHQUAKE IN PERU.

Lima, Peru, Dec. 29.—Another serious earthquake has occurred in the province of Ayacucho, department of Apurimac, in southern Peru. Two persons have been killed and many houses destroyed. The railroads have been so damaged as to make transit impossible.

STATE RAILROAD BOARD ORDERS REDUCTION IN ALL RATES

Helena, Dec. 29.—(Special)—An average reduction of 20 per cent in rates from Montana distributing points was ordered to take effect within 20 days, in a decision by the Montana railroad commission today. This means a reduction of just that much from the rates of Portland, Seattle and Spokane, which were established by the interstate commerce commission.

This decision also extends the distributing rates from the first four classes under the western classification to all ten classes and, in addition, extends the rates for the smaller places, which have enjoyed them only in limited territory, to every place along the various lines of railways.

"If the state is to be encouraged in meeting the competition of outside industries," says the commission, "and further, to encourage extensively any manufacturing, it is apparent that relief must be afforded from the high freight rates that have heretofore been in effect, and give to the consumers the benefit of the reductions which we feel they are entitled to."

CONDEMNED YOUTH TO MAKE FIGHT FOR LIFE

RALPH FARRISS, UNDER DEATH SENTENCE, RESPONDS TO FATHER'S URGING.

Los Angeles, Dec. 29.—Ralph Farriss, the young man who turned train robber and killed Horace E. Montague, traveling passenger agent for the Southern Pacific in the holdup of the Sunset express at El Monte, Cal., December 1, will be given a chance tomorrow afternoon to offer in his own behalf any evidence he may have; nevertheless the state will insist that he pay the death penalty. Farriss was sentenced to death Saturday.

James Farriss, his crippled and aged father, persuaded the condemned slayer, for his mother's sake, if not for his own, to fight for his life, and the prisoner decided to follow his father's advice. An attorney engaged for the youth who pleaded guilty to murder Saturday, examined the records of the case yesterday, and was expected to move tomorrow for the setting aside of the judgment under which Farriss otherwise would be hanged in less than 30 days.

All court officials expressed a willingness to set aside the death sentence if any legal ground for such a procedure could be found, but there was no willingness to set aside the plea of guilty entered by the prisoner.

PROGRESS IS SLOW IN THE MOYER AFFAIR

ATTORNEY HILTON AND MACNAUGHTON ISSUE STATEMENTS WHICH CONFLICT.

Columet, Mich., Dec. 29.—Little progress was made today toward solving the circumstances attending the deportation of Charles H. Moyer, president of the Western Federation of Miners, last Friday night. Union attorneys were busy with the coroner's inquiry into the Italian hall disaster and county officials investigating the cause had little to give out.

Claude C. Taylor, president of the Michigan State Federation of Labor, arrived tonight and at once went into conference with the local labor leaders who asked him to come here immediately after Moyer's deportation. Taylor told them they could count upon the united support of his organization for further conduct of the strike and that not only his time and efforts were at their disposal, but that dozens of other Michigan men were ready to lend their aid.

Interest centered in the untangling of statements bringing the name of James MacNaughton, general manager of the Calumet and Hecla Mining company, into the case. O. H. Hilton, chief counsel for the federation, and MacNaughton each issued statements.

"Mr. Moyer told me in Chicago that he was thoroughly convinced in his own mind that the man in question was James MacNaughton," Mr. Hilton said. "He did not say that he knew MacNaughton personally and I believe that the statement that Mr. Moyer claimed to have met the general manager of the Calumet and Hecla company in conferences is based on misapprehension."

"What Mr. Moyer told me was substantially this: That when the mob had dragged him to the depot in Houghton, a man who physically answered the description of MacNaughton alighted from an automobile, cursed him and searched his pockets, taking two wallets, one containing money, which was returned, and the other holding private papers and a 10-dollar bill, which was kept."

"This man was addressed by other members of the mob as 'Jim' and there was a general air of authority that agrees with MacNaughton's personality. The man told Mr. Moyer that if he ever came back to the copper country he would hang him."

"Let me repeat that any charge made by Mr. Moyer connecting me in any way with the event at Houghton is maliciously false," said Mr. MacNaughton. "I was in Calumet all evening, calling with my wife on a friend and then accompanying him across the street from his home to a club."

The grand jury which is to be asked to consider the Moyer affair will reconvene tomorrow. Mine managers continued today to strengthen their forces of workmen at every possible point. Reports had it that several carloads of non-union men have arrived, but these could not be substantiated. Neither was there complete confirmation of rumors that several hundred non-union men had quit their positions and left for Chicago.

TWO WITNESSES TESTIFY MISCREANT WORE BUTTON

FOURTH HYDE TRIAL WILL BE HELD NEXT MONTH.

Kansas City, Mo., Dec. 29.—An agreement of counsel was reached today whereby the fourth trial of Dr. B. Clarke Hyde, charged with the murder of Thomas H. Swepe, a millionaire philanthropist, will begin here January 12. Dr. Hyde was convicted of first degree murder at his first trial, but the supreme court ordered a new trial. At the second trial, one of the jurors escaped from the jury room and a mistrial resulted. At the last trial the jury was unable to agree.

CHANCES FOR STRIKE ARE CONSIDERED SMALL

TELEGRAPHERS ON THE FRISCO LINE MAY CONSENT TO A COMPROMISE.

St. Louis, Dec. 29.—There will be no strike of telegraphers on the St. Louis & San Francisco railroad, according to indications tonight. The strike committee of the order of Railway Telegraphers will meet the receivers of the road tomorrow in another attempt to reach an agreement.

James V. Lusk, chairman of the receivers, said he thought an agreement would be reached. The outcome of the conference thus far may be summarized as follows:

The railroad company has agreed to a wage increase, but not to the 15 per cent increase asked.

The railway company has agreed to pay overtime, but not double overtime as asked.

The chief points now at issue are technical subjects regarding labor conditions.

Receiver Lusk said he felt some of the demands as to working conditions were impracticable, but he believed an amicable agreement would be reached.

"We are gradually coming to an understanding," he said, "and such good spirit has prevailed throughout the conference that I feel the remaining points at issue will be settled."

It was announced at Frisco headquarters, but not by the receivers personally, that the company had polled the telegraphers and agents, and the result indicated most of the men would stay at their posts.

Telephone circuits were operated today over most of the system. W. C. Nixon, receiver and chief operating officer, did not say whether this would continue if a strike was averted.

NEW NORTH BANK HEAD.

Portland, Dec. 29.—It was officially announced this afternoon that W. D. Scott, general superintendent of the western division of the Great Northern, with headquarters at Seattle, will succeed J. Russell here as general superintendent of the North Bank line and the Hill lines in Oregon. Mr. Russell to take Mr. Scott's place at Seattle.

VEDRINES ENDS LONG FLIGHT.

Cairo, Egypt, Dec. 29.—Jules Vedrines, the French aviator, arrived at Rome today, thus bringing to a successful end a flight of nearly 3,000 miles which began several weeks ago from Paris. In his air voyage, Vedrines made various stops.

VICTIM OF MURDER FOUND IN A TRUNK

New York, Dec. 29.—A murder mystery which promises to rival the famous Barrett murder of a dozen years ago was brought to the attention of the police today when a boy notified them that he had watched a trunk which two men had unloaded from a pushcart and left in the gutter in Pitt street on the east side.

When the trunk was opened the body of a man about 40 years old, shabbily dressed and emaciated, was found in it. The body, which was still warm, was identified tonight by Joseph Molloy, a former roommate, as that of John Kramenz, a Russian Pole, formerly employed in a coal mine at Charleston, W. Va.

According to the coroner, death had been caused by strangulation, though in forcing the body into the trunk the neck of the man had been broken. Ropes held the head and neck to the knees and the feet of the body. A large handkerchief had been used as a gag and a woman's petticoat, wrapped about the head, had been used as an additional precaution to prevent a return to life. About 10 o'clock this morning

ONLY A COUPLE OUT OF A SCORE ON STAND INCrimINATE THE ALLIANCE.

CRY ORIGINATED IN HALL

Preponderance of Testimony Is That Yell Came From Man in Room and Was Taken Up by Others, the Rush Following Instantaneously—Hilton, for Miners, Is Not Satisfied.

Columet, Mich., Dec. 29.—Out of a score or more witness two persons testified before the coroner's jury today that the man who caused the Christ-mas eve disaster here wore a white button similar to the badge of the citizenship alliance. Immediately after adjournment of the hearing, O. N. Hilton, the Denver attorney in charge of the Western Federation of Miners' legal interests, announced that further development of this phase of the inquiry would be attempted tomorrow.

The federation's lawyer did not comment upon the fact that the president and half a dozen members of the women's auxiliary of the federation swore that they saw no insignia on the man, and that union members who stood in the vestibule of Italian hall for an hour before the panic started, said the alarm came from within the hall, and no person wearing such a button had passed them.

In the opinion of Anthony Lucas, prosecuting attorney of Houghton county, who conducted the examination of witnesses, facts fairly well established today were that an excitable member of the audience raised the cry, that there was an actual fire in the hall, and that the doors were open and the stairway clear when the panic started.

"All we want is a finding based upon facts developed at the inquest," said Mr. Hilton. "The identity of the miscreant who started the mad rush for the stairs is of paramount importance, and we intend to do what we can to clear that up."

The testimony as to the button was given by two witnesses, John Turcar, who gave his age as 15 and said he had lost a sister in the disaster, excitedly told of having seen a man muffled in his eyes in a fur-collared overcoat enter the hall. "He hollered 'fire,' then 'run out,' the boy said. 'I ran out, too. He had an alliance button on his coat.'"

The other witness, Mrs. John H. Koski, said she was 20 feet from the man who wore a dark blue coat on which was a white button. "It looked like an alliance button," she said, "but I was too far away to read it."

One or two witnesses said there had been some confusion in the hall before the panic started, but the women in charge of the celebration denied this. Virtually all witnesses agreed that the first alarm came from a man, that it was taken up at once in different parts of the hall, and that the rush for the exit was instantaneous.

Moving pictures taken of yesterday's funeral procession probably will not be exhibited. The operator reported that his room in a local hotel had been broken into and the films stolen. The case was found several blocks away from the hotel, but beyond this circumstance the local police said they had no clue to the details of the robbery.

At federation headquarters there was no hesitancy in laying blame for the disappearance of the films on the same splits in the community who sent President Moyer out of the district. The theft was denounced as an attempt to stifle publicity for the strikers.

Another employe of Tymoles, the Finnish socialist paper published in Hancock, was arrested today on a warrant issued at the request of Sheriff Crane Saturday. None of the newspaper men have obtained release on bail. The editors, printers and publishers are charged with circulating false statements calculated to incite riot.