

FRED AMES IS NOW CONVICT NO. 1,093

The Former Chief of Police Begins to Serve His Sentence for Bribery.

Accompanied by Sheriff Dreger and Deputy Sheriff George Loth, He Left Minneapolis for Stillwater at 6 O'Clock This Morning—The Supreme Court's Decision, Filed To-day, Upholds State's Contentions at Every Point—The Fitchette Decision Not Reversed Thereby.

Colonel Fred Ames is now in Stillwater. The former chief of police, the man who was nominal head of Mayor A. A. Ames' spectacular police force, convicted of having accepted a \$15 bribe from a woman of the town, has begun the service of his six-and-a-half-year sentence in the state prison. The reversal of the Fitchette decision in his case having been made known to him, he was impatient to begin the service of his sentence, and under the care of Sheriff J. W. Dreger and Deputy Sheriff George Loth, left Minneapolis at the early hour of 6 this morning for Stillwater. Breakfast was taken in St. Paul, after which an Omaha train was taken to the prison city.

Ames was received at the state prison at 9:35 a. m. on the trip from St. Paul. Stillwater was without incident, the prisoner talking little, though he repeated his statement made last evening, that he was a military man and had and would obey orders.

He was received at the outer door of the gray-walled prison by Deputy Sheriff Glenn L. Brown, who took him to the receiving room, where the commitment papers were ready and a receipt was given to Sheriff Dreger for the prisoner.

A Trying Meeting. The Ames had himself well in hand, he colored and showed no emotion when on entering the receiving room he encountered former Thirteenth Minnesota men and first regiment members who are now employes of the prison. His emotion, however, lasted only for a moment.

From the receiving room he was taken to the cell room and searched. Then he went to the bath room where his convict garb was taken from him and convict garb donned. After being thus attired he was once more taken to the cell room to have his hair cropped.

Thru the ordeal, which must have been severe, the ex-chief of police went with fortitude. Arriving in the cell room, he was examined and measured this afternoon by the Bertillon system.

Employment Not Yet Settled. His employment has not yet been determined, but it was thought this afternoon that he would be given a clerical position in the store room.

His register number is 1,093. The cell has not yet been assigned him. A registry number of the prisoner furnishes another illustration of the remarkable recurrence of the number 13 in the career of Ames. He was an officer in the Thirteenth regiment, which left for the Spanish war on the 13th of the month, fought in the battle of San Juan on the 13th day of the month and returned to civil life on Oct. 13. Now the numerals of Ames' number, 1093, added together, form another 13. The 13th day of the month, half year, or 78 months, a figure which is a multiple of 13.

Sheriff Dreger, after bidding his prisoner good-bye, took Ames had little to say. His parting from Ames was affecting, but the prisoner bore up bravely and said he would take his punishment like a man.

Supreme Court's Decision. In accordance with the announcement in the extra of the 7th, the decision of the supreme court, the decision on the appeal of Fred Ames was filed this morning. Justice Calvin L. Brown, who wrote the decision in the King case, handed down the opinion of the court. He upholds the district court and holds against the defense on every point. The syllabus of the decision states it briefly as follows:

State of Minnesota, respondent, vs. Frederick W. Ames, appellant. First—Challenges to individual grand jurors based upon the ground of prejudice or bias can be made only at the time of their selection.

Second—Challenges to the jury as a whole at the time of arraignment by way of a plea in abatement are not available under section 7156, general statutes 1904. That section provides for a challenge to the jury going to the regularity of the proceedings in the selection and impaneling of the jury.

Third—Defendant was indicted for having acted as superintendent of the police department of Minneapolis, under the plea of a bribe from one Mills, under an agreement to protect her in the occupation in said city. The evidence showed that Mills paid the defendant, who, the state claimed, was acting as superintendent of the police, to help him in the occupation, and that the defendant, in return, was to receive a certain sum of money for the protection of the occupation, and that the defendant, in return, was to receive a certain sum of money for the protection of the occupation.

Fourth—The court charged the jury generally to consider all the evidence before them, and particularly that certain evidence offered by the defendant tending to show his previous good character was competent as tending to show that he would not be likely to commit a crime charged against him.

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Sixth—The court charged the jury that it was defendant's right to testify in his own behalf, and that he should consider his testimony in the same manner as that of any other witness in the case, and give it such weight as he thought proper.

Seventh—Other assignments of error examined and found to be without merit. The verdict is sustained by the evidence.

Reasons of Court's Action. The decision dwells chiefly on two points made by the defense, that there was no foundation laid for the testimony of Addie Mills as to her conversations and dealings with Cohen, and that the evidence of other bribes was improperly admitted.

On the first point, the court reviewed the history of the case as shown by the evidence; first the testimony made by Ames with Detectives Brackett and Wirtensohn among the candy stores to tell the proprietors to stop paying money to Gardner, and to call and see him; then his sending Cohen and Wirtensohn to make the trip again. On that tour Cohen told the women to make their payments to him at the jewelry store by

JAIL DELIVERY

Eleven Prisoners Escape From Kentucky Jail—Five Are Charged With Murder.

Williamsburg, Ky., July 10.—Eleven prisoners escaped from jail here last night by prying out the iron grate in the floor. Five were charged with murder and other serious offenses. The other prisoners refused to leave the jail.

GRAND JURY FINDS 200 INDICTMENTS

Washington Authorities Are Paying Close Attention to Peonage Cases Throught the South.

New York Sun Special Service. Washington, July 10.—Attorney Knox is giving the Alabama peonage cases his closest attention, and in order that the cases may be prosecuted with still more vigor.

On this rule the Molinoux case is cited, and also the Harry Hayward case. The Fitchette case is decided to be distinguishable in two respects. First, it was necessary for the state to establish a connection between Cohen and defendant in respect to payment of money by the woman and show that Cohen was authorized by the latter to collect and receive the same for him.

That it tends to show a confederacy between the officers and Cohen is clear, and that fact being established, it was competent for the state to show the declarations, statements and acts of any one of the conspirators. No such question was presented in the Fitchette case. In that case the money was paid direct to Fitchette. Second, it is also distinguishable from the Fitchette case in that it tended to establish a scheme or system of crimes, intimately associated and connected, so that proof of the other acts was corroborative and tended directly to the truth of the charge made in the indictment.

No Error in the Charge. As to errors alleged in the judge's charge to the jury, they are disposed summarily. It is held that all the instructions were fair and proper. In conclusion the opinion says:

It is urged that the verdict of the jury is not sustained by the evidence. We have examined the evidence thoroughly and have no misgivings on the subject of its sufficiency to justify the conviction of the defendant. We do not review it in detail in this opinion. The main features have been stated in connection with the question as to the admissibility of some of the evidence, and it is unnecessary to refer to it again.

We can only say that it presents a case of the clearest and most palpable sort of corruption, and a willful and flagrant violation of official duty. The evidence is so clear and persuasive that it is unnecessary to say that it would be nothing less than usurpation of power in us to disturb it.

"We have considered all the assignments of error made by the defendant, not specifically referred to, and find no error justifying a new trial, and find no error in that the order appealed from is affirmed."

This decision is a victory for the state and is received with deep gratification by the friends of the law. It is a landmark in the history of the state, and a warning to all who would attempt to violate the law.

Ames Made Prisoner. The former Police Superintendent Taken Into Custody Last Night. Frederick W. Ames became a prisoner in the hands of Sheriff J. W. Dreger at 6 o'clock last night, upon a commitment issued in accordance with a decision of the supreme court. The former chief of police spent last night in Sheriff Dreger's office awaiting conveyance to the state's prison at Stillwater, where he will begin serving a term of six years and six months for participation in the grafting system perfected by the late Ames' administration.

Rumors that the supreme court would sustain the district court in its findings against Colonel Ames have been true for a week past and it was generally known that the supreme court would hand down its decision some time before the 10th. The Journal extras were telling the news on the streets yesterday afternoon Sheriff Dreger and his deputy, George Loth, were on their way to Colonel Ames' home on Fourth avenue S to take charge of the former chief of police.

Neither Colonel Ames nor his brother, Dr. Ames, showed any surprise at the result of the supreme court's deliberations. Colonel Ames saying that he was ready to serve his sentence like a man and Dr. Ames remarking that he did not think justice had been done in making a convict of his brother. For several days Colonel Ames had been so certain that the supreme court would find against him that he had made it plain to Sheriff Dreger that he could be found whenever he was wanted.

The Arrest Made. When the sheriff and his deputy arrived at the Fred Ames home shortly after 5 yesterday afternoon they were met at the door by Mrs. Ames, who, upon being made aware of their business, invited them into the house with no other comment than that her husband was expected home to dinner in a few minutes.

When the sheriff and his deputy entered the house they found their way to the dining room where they were met by Colonel Ames. He was sitting at the table with a reporter who told him that the expected had happened and asked him whether there was anything to say. Colonel Ames was walking slowly along the street, with his hat pulled down over his eyes, puffing nervously at a black cigar.

"I have nothing to say about it," said he. "I have talked too much already. There has been too much talking from beginning to end of this thing. I am more than ever convinced that talking is futile. It may not protect an innocent man, altho it may clear a guilty one. For my part there is nothing further to be said. If the supreme court has found against me, there is nothing more to do. I will go to Stillwater."

Continued on Second Page.

TO DETERMINE ALASKAN LINE

The British and American Commissioners Will Meet in London Next Month.

Our Claim Is Said to Be Well Established and America Will Not Yield.

Prof. Tittman, Sup't of the Coast and Geodetic Survey, Will Advise Against Concessions.

New York Sun Special Service. Chicago, July 10.—Professor O. H. Tittman, superintendent of the United States coast and geodetic survey, sails for Europe on July 23 on an important mission in connection with the Alaskan boundary situation and to represent this government at the conference of the geodetic congress which meets in the Danish parliament building at Copenhagen Aug. 4.

Washington, July 10.—Announcement will be made by the war department in a few days of the following promotions in the army: Major General S. B. H. Young, to be lieutenant general upon the retirement of Lieutenant General Nelson A. Miles, Aug. 6; Brigadier General Leonard Wood, to be major general, vice General Young, promoted Brigadier General Samuel S. Sumner, to be major general upon the retirement of Brigadier General George W. Davis, July 26.

While these promotions have already been agreed upon, Secretary Root has determined to defer making an official announcement until after his visit to Oyster Bay.

Older Officers Don't Like His Prospective Advancement—Senate May Not Confirm It.

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GEN. WOOD IS IN LUCK

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THE POPE UNDERGOES A SECOND OPERATION

His Holiness' Condition Practically Is Unchanged—May Live Three Days or a Week, but Cannot Recover.

Leo Himself Recognizes This Fact and Selects the Place in Which He Desires to Be Buried—Irreverent Latins Are Betting on the Choice of His Successor—Pope Breakfasted and Dressed This Morning but Was Fatigued and Took a Long Rest Shortly Afterwards.

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THE BEAR OUT-BEARED. The Russian Bear—There Comes That American Oil Trust Into My Domain. I'm Not in It With Him When It Comes to a Squeeze.

TEN NEW STEEL BOATS

Four Millions of Dollars to Be Spent for New Craft for Great Lakes.

Duluth, Minn., July 10.—Plans are under way for the construction of ten new steel ore-carrying steamers which will be by far the largest vessels which ply the Great Lakes.

Each of the new boats will be 650 feet long and their combined cost will be close to \$4,000,000. The preliminary arrangements are being made by Captain A. B. Wolvin of the Pittsburgh Steamship company, and when he has all in readiness he will lay the proposition before other officers of the company.

It is said an order for one of the vessels will be placed in a short time, and if the negotiations are successful the others will be built as rapidly as possible.

GUN BECOMES SCRAP IRON. New London, Conn., July 10.—The big dynamite gun at the war department, which was blown to pieces by the metal dealers who purchased it. The gun and carriage weighed seventy-five tons. One hundred pounds of dynamite was used to reduce the gun to marketable scrap metal.

BALKANS MOVE PEACEFUL. Constantinople, July 10.—Official news received from Sofia yesterday was more reassuring. Bulgaria has abandoned the intention of reinforcing its troops on the frontier. In diplomatic circles a calm view of the situation is now taken and it is believed the storm has passed away.

HE KILLS TWO MEN. Bloomington, Ill., July 10.—Edward Barton, of Springfield, to-day fatally shot Louis Frank and Irving Rosenfield, merchants of Mason City. Thirty miles from here, a clerk disarmed Barton who was arrested, put upon a train and taken to the county seat at Havana just in time to escape a mob that was being organized.

The object of the geodetic association is to secure international co-operation in the measurement of the figure of the earth. The association exists by virtue of treaties between the various governments which are conducting geodetic operations. There are in this country two small astronomical observatories maintained at the common expense of the observatory powers, devoted exclusively to observations for determining the variation of latitude. One of these is at Ulich, Cal., and the other at Gathersburg, Md. Both are conducted under the general supervision of the superintendent of the United States coast and geodetic survey.

After the adjournment of this congress Professor Tittman will go to London to assist the American members of the Alaskan boundary commission, consisting of Secretary Root, Senator Lodge and Former Senator Turner of Washington. The commission will meet in London early in August.

Tittman Is Well Posted. Professor Tittman is one of the best posted men in the United States on the Alaskan boundary dispute. For years he has studied this subject and has secured for the coast and geodetic survey a valuable collection of old British and other maps, some of which show that the British geographers admit the American contention and that the territory in dispute belongs to the United States. Professor Tittman has made an impartial study of the question, and as a result of his investigation, extended over a number of years, he is firmly convinced that if an agreement is reached by the commission it will be favorable to the United States.

He was one of the commissioners who two years ago studied original maps in Canada and examined boundary posts in the northwest country as a preliminary to the work of fixing the true boundary line. While Professor Tittman is not a member of the commission, he will have great influence with its members by giving them the benefit of his knowledge and experience.

British Must Yield. There will also be three British members of the commission and the belief is entertained that one of these will be given over to the American views and thus settle the dispute which has been pending for years. With the strong case of the United States, it is certain that none of the American representatives will yield to the British.

There is excellent authority for the statement that the representatives will go to London with instructions to yield nothing as the claim of the United States is so well authenticated. Unless the British yield there will be a disagreement and this will practically decide the case in favor of the United States, for in the event of the failure of the negotiations this government will stand by its claim, retain control of the territory in dispute and in all probability will decline to enter into further negotiations.

The regular troops stationed in the department of the lakes and the militia of several middle western states were ordered to hold the movement at West Point, N. Y.

Bay-to-morrow to confer with the president in regard to army matters. It is considered very probable that Captain J. J. Pershing, who distinguished himself in the campaign against the forces, will also come in for an increase in rank and that he will not stop short of being made a brigadier general.

The promotions to be determined upon at this time will be sent to the senate next December for confirmation. There is some opposition to the promotion of General Wood. Officers of the army are particularly opposed to the promotion on the ground that it will block for a great many years the advancement of some of the older officers in the service. Wood does not retire until Oct. 9, 1924, and his promotion to major general will make him in a few years the senior major general of the army and in line for advancement to be a lieutenant general. Should he be given this rank he will be in a position to hold it so long that no officer of rank above that of major now in the service would be able to secure the grade of lieutenant general before his time for retirement.

General Wood's Record. In the army register issued by the war department, the regular army service performed by General Wood is given as follows: "Assistant surgeon Jan. 5, 1886; accepted Aug. 11, 1886; captain and assistant surgeon Jan. 5, 1891; brigadier general Feb. 4, 1901, accepted March 2, 1901." Referring to his volunteer record it is stated that in 1898 he was colonel of the First United States volunteer cavalry, brigadier general and major general; honorably discharged of these grades April 13, 1899 and the same day reappointed brigadier general and in December following made major general and again discharged of that rank in June, 1901, shortly after his promotion to brigadier general in the regular army.

Both General Young and General Sumner served during the civil war in the regular army and have long war service records.

Shot Wife in a Dream. Baltimore Man Thought He Saw a Burglar and Aimed at His Heart.

New York Sun Special Service. Baltimore, Md., July 10.—If the story told by Frank Mansley be true, he was acting a vivid dream, in which he was confronted by burglars, shot four bullets into his wife's head, killing her instantly, and is innocent of any crime.

Mansley says he dreamed a burglar was leaning over his wife as she lay on the left side of the bed and he thought he was aiming for the intruder's heart. The neighbors testify that the couple always appeared happy.

THE MORNING BULLETIN

Rome, July 10.—The following bulletin regarding the condition of the pope was posted at 10:30 o'clock this morning: The august patient passed the first part of the night fairly peacefully, but afterward the difficulty in his breathing became more marked, coupled with discomfort and increase of the feeling of oppression. The pulse is small and weak, at the rate of 92. Apraxia was complete and there was little diuresis. A flow of entopleuritic fluid being observed upon and immediately performed by Dr. Mazzoni. About a thousand grammes of bloody serum was extracted. The pontiff bore the second operation very well and in consequence of it both the respiration and the power of the heart at once improved.

—Lapponi. —Mazzoni. —Rossini.

The Day's Bulletins. Rome, July 10.—The doctors who entered the pope's sick room at 8:30 o'clock this morning, were still there at 10:15, and it was supposed that a new operation had been performed. The usual light nourishment was taken at noon and the pope then lay down for a long rest. Altho there is intense public anxiety, the neighborhood of the vatican is comparatively quiet.