

FEAR TO REPORT ON RATE HEARING

Senators Realize the Criticism Sure to Ensnare Would Help President.

By W. W. Jernane. Washington, May 13.—The reason why the senate interstate commerce committee will not formulate a report...

As the result of confidential chats with members of the committee, I feel warranted in forecasting some of its points.

It will seek carefully to guard the existing right of appeal to the courts from any rate order of the interstate commerce commission...

It will recommend that joint rail and ocean rates on exports be made uniform and exempted from publicity.

It will recommend that the hearing of cases before the commission be expedited.

It will oppose the principle underlying the Esch-Townsend bill.

It will say that it is not possible to make any law governing the long and short haul as interpreted by the supreme court.

It will embody the substance of the law governing the long and short haul as interpreted by the supreme court.

The bill presented with its report will probably be the present law with slight alterations.

Commission Criticized. The commission will be severely criticized as inefficient.

New Elevator to Women's Floor At the Plymouth Corner entrance.

MRS. SEERLEY AT HEAD OF CLUBS

Iowa Federation Elects New Officers and Adjourns Its Biennial.

Special to The Journal. Waterloo, Iowa, May 12.—The Iowa Federation of Women's Clubs, in biennial convention here, elected the following officers:

President, Mrs. J. J. Seerley, Burlington; vice president, Mrs. Ellen Brown, Waterloo; recording secretary, Mrs. E. S. Johnson, Humboldt; corresponding secretary, Mrs. N. Ash, Audubon; treasurer, Mrs. B. C. Clark, Rock; auditor, Mrs. Maria Bibbs, Boone; general federation secretary, Mrs. E. J. Bennett, Iowa Falls; Harriet Lake, Independence.

A banquet will be served in honor of the new officers this evening by Waterloo ladies.

The convention closed last night, but the officers and committees are working on plans for the next two years.

Oskaloosa will be the next meeting place.

Professor Zuehl of the Chicago university addressed the convention in the afternoon on "Art in Municipalities."

Mrs. T. J. Fletcher of Marshalltown, the retiring president, will give the gavel, the presentation speech being made by Mrs. Decker of the general federation.

GOULDS PINNED UNDER AUTO; BOTH STUNNED

New York Sun Special Service. New York, May 13.—While bounding over the roads at New Rochelle at a forty-mile clip, Mr. and Mrs. Emerson W. Gould, Jr., came near losing their lives in an automobile accident late last night.

Mr. Gould's spine was injured and he received internal hurts that may prove fatal. Mrs. Gould escaped practically unharmed.

Mr. Gould's car struck the mound of the machine, jumped a stone wall and fell over an embankment, pinning Mr. and Mrs. Gould beneath the machine.

Both were extricated unconscious.

Ashlund, Wis., May 13.—John and Charlotte Smart, Ogdan, Wis. Chippewas, were bound over to trial today on the charge of murdering a brother, Tom Smart, on the reservation last month.

Patent Attorneys, 225-933 Guaranty Loan Building, Minneapolis, Minnesota. Baker, Frank J. St. Cloud, Minn., firm magazine; Frantz, Ewald and Frank Peterson, Lovry, Minn., mail system; Garbo, Nils P., Minneapolis, Minn., sorting cabinet; Goodson, George A., Minneapolis, Minn., (2) galvanizing process; Hastings, George B., Pine Island, Minn., printing press; Hedstrom, Peter F., Lake Park, Minn., shifting attachment; McOrath, Peter, Hibbing, Minn., lemon squeezer; Need, William, Minneapolis, Minn., window shade and curtain bracket.

RAILROAD RATE SITUATION ACUTE

Railroads Play for Delay, Even Planning to Induce Two-Year Wait.

By W. W. Jernane. Washington, May 13.—The railroad rate situation has become more acute since the president at the Denver banquet and later in Chicago declared his policy.

The confidence of the country at large in the president is so great that popular sentiment is in danger of crystallizing solidly in favor of any policy he may advocate.

The foregoing statement correctly describes the situation as admitted by the leading railway men now in session here.

Iron Is Hot for Striking. The president would strike while the iron is hot, it is said by a prominent member of the senate committee on interstate commerce.

But there is no likelihood that the president will convene congress earlier than the middle of October.

As the session progresses and the treasury deficit and other important special session and dispose of it in advance of the presidential campaign.

Postpone Two Years. The senators will try to secure his consent to a postponement of the question until after March 4, 1907, when they will be willing to take it up.

The chief argument to be used with the president in favor of this postponement will be that the present discussion of the rate-making question is not in the public interest.

George Ellis, clerk of the Pioneer hotel on Second street, testified to the character of the defendants.

He was followed by J. J. Towas, a millwright for the St. Anthony Elevator company, who testified that he knew Kolb and Hammon well, and who asserted that Kolb was a man of high character.

Good Character Witnesses. George Ellis, clerk of the Pioneer hotel on Second street, testified to the character of the defendants.

He was followed by J. J. Towas, a millwright for the St. Anthony Elevator company, who testified that he knew Kolb and Hammon well, and who asserted that Kolb was a man of high character.

When the action of the owners was made known to Shea he is said to have responded: "We'll win. If they want to fight, let 'em come on."

Thousands Involved. Members of the Chicago Team Owners' association, the Commission Team Owners' association, the Van Team Owners' association and the Lumbermen's association were present at the conference.

Drifted to Arizona. Christian Wolz, an able seaman, who subsequently left the Leicester Castle, was making his way to Clifton, Ariz., where he is now residing.

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STATE HAS BOMB IN ANOKA TRIAL

Surprise Is Promised by State in the Kolb and Hammon Case.

Special to The Journal. Anoka, Minn., May 13.—The second trial of the Columbus Heights bandits is developing new phases that may make it more interesting than the trial that resulted in the conviction of Kaldewit.

The defense is bending every energy to counteract the state's testimony regarding the three prisoners and their associates at the Grand Central hotel.

Witnesses are brought in who state that the two men now on trial have been in the city for some time, and that they were in the city at the time of the murder.

The state is also expected to spring some surprises on rebuttal. This morning George W. Shea, attorney for the state, produced a letter and asked Mabel Ward if the address was in her handwriting.

She admitted that it was. The contents of this letter, it is stated, will be a surprise. Miss Ward has said that she had a conversation in the jail with Hammon when there was no deputy sheriff present.

Kolb Dons the Shoes. John Kolb was again on the stand and was asked to try on the shoes he pawned with Goodman the night before his arrest.

Mr. McGee tried to call attention to the fact that the shoes were not his. One of the jurors began to ask questions and the defense quickly ordered the shoes removed.

Frank McDonald, superintendent of the Minneapolis workhouse, testified that the Mason woman, who has figured in the case, had been a prisoner and that she was in the workhouse on Nov. 21, after serving two sentences.

William West, the one man in the saloon who returned the fire of the robbers, was questioned as to the running time of the car he took to Columbus Heights.

A. A. Nicforth, a foreman for John Mack, stated that Kolb had worked for him and was a good man. He also said that Kolb had been at the place asking for Mack on Nov. 23 and 23.

Cross-examination drew out the fact that Kolb had not worked for the witness for two or three years.

John Johnson, the bartender at the Grand Central hotel, testified that he bought by the clock. W. A. Wolf had said to him, "If you know anything about this case don't tell it, or I'll make you prove it."

There was a tilt over the selling of beer on Sunday. The state made the witness state that he was selling beer on the Sunday when Detective Crumley called on him.

Mr. Crumley asked why he was never asked by an officer of the law in a saloon on Sunday.

Good Character Witnesses. George Ellis, clerk of the Pioneer hotel on Second street, testified to the character of the defendants.

He was followed by J. J. Towas, a millwright for the St. Anthony Elevator company, who testified that he knew Kolb and Hammon well, and who asserted that Kolb was a man of high character.

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TAFT LETS BOWEN CASE ON BOWEN CASE

Roosevelt and His Secretary of War Talk Over the Loomis Charges.

New York Sun Special Service. Washington, May 13.—At a long talk during which Secretary Taft rendered an account of his stewardship, the acting president most notably spoke of the lid and surrendered it to President Roosevelt.

The chief part of the conversation was devoted to the Loomis scandal, which was carried out by the written charges made by the minister, the written reply made by Assistant Secretary Loomis, and a written explanation of the case.

Unless Minister Bowen presents unexpected evidence, the case will go against him with great suddenness. It is the result of further action will be necessary, as at present he has no position in the diplomatic service.

His place at Caracas was filled. If he will have a new appointment, even if he should prove that all he said about Loomis was true, he would still be considered as Loomis' counter-charge of procuring the publication of the charges without having first consulted his superiors.

HUGE STRIKE IS CHICAGO MENACE

Teamsters Likely to Extend Scope of Labor Trouble by Blow at Team Owners.

Chicago, May 13.—The Chicago Team Owners' association, the Commission Team Owners' association and the Van Team Owners' association are expected to meet tonight to discuss the proposed strike.

The men were disgraced by Captain Peattie, and they are not getting over the first mate made it unpleasant for Hobbs, according to a landsman's thinking.

On the night of Sept. 2, when the ship was making three knots an hour, a strong sea, with a light wind blowing, Hobbs stole the second mate's revolver and approached the first mate, who saw that it was run or got shot.

He tried to get away, but he was held by the foreman and broken his leg. The captain prepared the table for the victim and turned to the door of the cabin to go on deck when he was confronted by Hobbs, revolver in hand.

"Now, then, captain," he quietly remarked, and with the muzzle he, six feet from the captain's heart, pulled the trigger and fired.

The captain staggered, but did not fall, and Hobbs ran at him with a baying yelp. He battered him on the head, and as he fell fired two more shots into his body.

The report of the pistol brought Nixon on to the scene, just as Hobbs believed he had killed Captain Peattie. Turning, he shot Nixon thru the heart.

The second mate stepped out of the doorway and the murderer stepped over his body. While some of the crew attended to the captain's wounds Hobbs, Sears and Turner stepped to the first mate's bay, one standing guard, revolver in hand, while the others constructed a raft of planks taken from the wheelhouse, cork cylinders from the lifeboat and ends of the jib dunnage.

Provisioning the raft, they launched it during the night and dropped astern, amid a fusillade of shots from the crew, who had been armed to the teeth.

A lookout was kept for the raft the following morning, but it was not sighted, and it was thought that the three men had been drowned.

The mutiny was reported at Queens-town on the arrival of the Leicester Castle, and a British cruiser was ordered to search Pitcairn island, the nearest land.

But the murderer and his companions lived on the frail craft until they were rescued at San Francisco, where they landed them in San Francisco.

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CONVOYS IN A MUTINY SEQUEL

Murder on the High Seas Is Followed by a Strange Trial in an Arizona Court.

Phoenix, Ariz., May 13.—Courtney W. Bennett, British consul general of San Francisco, accompanied by his legal adviser, J. E. K. Corbett, has been seen attending the trial of Deputy Sheriff Lee Hobbs of Arizona, charged with the murder of John B. Nixon, second mate of the British ship Leicester Castle, on Sept. 2, 1902, in the South Pacific ocean.

The murder of Nixon, brutal and apparently uncalculated, is a tragic page from the history of the sea, and the trial of Hobbs was no less thrilling to the British consul general, who had grave doubts whether he would reach San Francisco alive.

Altho Nixon was identified by a member of the crew of the Leicester Castle, he succeeded in establishing an alibi, and the case, which consumed three days, was dismissed by Judge Kent.

The mutiny, resulting in the wounding of Captain Robert D. Peattie and the killing of Nixon, occurred off Pitcairn island.

The Leicester Castle arrived in San Francisco from Hongkong in ballast May 24, 1902, and was crewed by 140 men, among whom were three Americans, who gave their names as Turner, aged 24, of Ida Falls, W. A. Hobbs, aged 24, of Littlefield, Ill., and Ernest Sears, aged 21, of McCoy, Ore.

Hobbs was a stout, smooth-shaven man, tanned by the sun. Sears was of gentlemanly appearance and slight build. Turner was like Sears, but thinner.

Threatens the Mate. The ship sailed July 26, 1902, with a cargo of wheat for England, and was barely under way when it was discovered that the three Americans were absent from the ship.

Hobbs was ill in his bunk and was ordered out by the first mate, but refused to go, and told the first mate, "If you would let me alone."

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CASE GIVEN TO JURY AT NOON

Continued from First Page.

reasonable doubt; and in the consideration of this case you should not go beyond the evidence to hunt for probabilities should you entertain doubts which are based upon groundless conjecture.

In order to ascertain truly what the facts are, whether this defendant is guilty or is not guilty, you should take into account the evidence introduced and dispassionately consider and weigh all the evidence introduced in this case, the testimony of all witnesses, those who testified on behalf of the prosecution and those who testified on behalf of the defendant, and you should endeavor to reconcile all of this testimony, if you can reasonably do so, to the end that you may determine correctly the question of the guilt or innocence of the defendant.

As to Impeached Witnesses. In determining the questions of fact in this case, you should consider the entire evidence introduced before you, but you are at liberty to disregard the testimony of all such witnesses, if any there be, as have been successfully impeached, either by direct contradiction or by proof of having made different and contradictory statements in other cases, or by the testimony of all such witnesses, if any there be, as have been successfully impeached, either by direct contradiction or by proof of having made different and contradictory statements in other cases, or by the testimony of all such witnesses, if any there be, as have been successfully impeached, either by direct contradiction or by proof of having made different and contradictory statements in other cases.

One of the modes of impeaching a witness is by showing that he has made statements out of court at variance with his statements upon the witness stand; and if you believe from the evidence that any such statement was made at any other time and place at variance with his testimony here, regarding any material matter testified to by him, then it is your province to determine to what extent this fact tends to impeach, either his memory or his veracity.

Such impeaching testimony should be received by you with great caution, as that which tends to impeach, either his memory or his veracity, is not sufficient to justify the conviction of the defendant, but it is a circumstance bearing upon his guilt or innocence. The want or absence of any motive for the commission of the offense charged is regarded in the jury's consideration to which it is entitled, in view of all the other evidence in the case.

The Defendant's Admissions. There has been some testimony given before you as to statements or admissions made by the defendant Koch as to certain matters pertinent to the issue now being tried before you. Such testimony should be received by you with great caution, as that kind of evidence is subject to much imperfection and mistake. The defendant may not have understood him. But it is the province of the jury to weigh all his testimony, and give it the consideration to