

HEARING IN LIBEL CASE PROCEEDS

Court Sees Politics in Trial of Smith and Williams.

FURTHER ARGUMENTS TODAY

Judge Anderson Expresses Himself as Being Inclined to Believe the Purchase of the Panama Property Was a Proper Subject For Newspaper Discussion—Mentions Fact That Cost Has Exceeded the Estimate Made Originally.

Indianapolis, Oct. 12.—That the Panama libel case is "more or less a political matter" was the comment of Judge A. B. Anderson, who is presiding over the hearing of Charles R. Williams and Delavan Smith, proprietors of the Indianapolis News, who the government is seeking to remove to the District of Columbia for trial on the charge of criminal libel.

"The whole Panama canal project is a great political project," said the court, "and there has been much honest expression of opinion as to the advisability of having chosen the Panama route in preference to the Nicaragua route, and since the cost of building the canal is so much larger than at first estimated, as to whether or not the United States should own any Atlantic-Pacific canal."

"The press has a public duty to perform and in political discussions it seems to me that the conception of libel should be different from the conception that should apply to a case of libel on a person's private character."

Stuart MacNamara, special attorney for the government, maintained that the Indianapolis News, though printed in Washington as well as in many other jurisdictions; that copies of the paper were sold in public there and that, therefore, the crime charged was committed in Washington as well as elsewhere.

Judge Anderson asked MacNamara how, in his opinion, it should be decided where such a libel case should be tried. MacNamara said that he thought the first court in which an action were brought should have jurisdiction.

Arguments again today.

"Would a conviction in one jurisdiction be a bar to further proceedings in the same matter in a hundred other jurisdictions?" asked the court.

MacNamara said he was not prepared to answer this question.

MacNamara said the records at Washington absolutely refuted charges of corruption in the Panama purchase and that the defendants had not considered these records in publishing the charges complained of.

The only testimony offered by the government consisted of copies of the issues of the Indianapolis News containing the alleged libelous articles and selections from the report of the senate committee of 1905 which investigated the Panama canal deal.

Arguments will be continued today.

The Turk's Wonderment.

Writing on the battle of Navarino, a contributor to the Cornhill Magazine tells this striking little story.

"In the morning the surface of the bay was covered with floating spars to which many poor wretches were clinging, calling for help in different tongues. Among them were many Greek prisoners still in manacles upon their limbs. An English lieutenant who was putting ashore a Turkish official was anxious to save some exhausted men who were clutching a scorching mast. 'We must rescue them!' he exclaimed.

"Be answered the Turk. 'They are only common soldiers and will soon die.' Then he laughed.

"'Good heavens!' exclaimed the Englishman angrily. 'What is there to laugh at?'

"'Laugh?' said the Turk. 'By Allah, you English are a singular people. Yesterday you came into the bay while we were quietly at our coffee. You knocked our ships to pieces, killed or mangled all our men till the fleet is one vast smoldering heap, and this morning you pretend to be so humane that you cannot pass a score of wounded soldiers without putting yourself out of your way to save them!'

No Suffering.

It was at a breach of promise case, and the rustic defendant was under cross examination.

"Now tell me, please," said the counsel sternly, "one thing evening of the night when you left her goodly bed did she suffer you to kiss her?'

"Well," said the witness slowly, "I reckon now I did give her a kiss or two, but there weren't much sufferin' about it as I could see.

And even the learned judge condescended to smile.—Exchange.

His Worth.

Jenkins (speaking to his friend the editor about the death of Riche, the millionaire)—How much is he worth, wonder? Editor—How much? Not much. Not more than a quarter of a column at the outside.—Chicago Record-Herald.

Diplomacy.

First Doctor—To what do you attribute his success as a physician? Second Doctor—To his diplomacy. He first finds out a few things a patient doesn't like and then orders him not to eat them.—Philadelphia Record.

A Libel on the Original.

"Why is Mr. Miller so angry with the photographer?'

TIGERS BEATEN IN THIRD GAME

Pirates Drive Summers Out of Box in First Inning.

DETROIT MAKES PLUCKY FIGHT

American League Champions Refuse to Be Discouraged by a Lead Their Opponents Gained Early in the Battle and Keep Up the Struggle Until Their Last Batter is Hit—Three Umpires Watch the Hits and Plays.

Detroit, Oct. 12.—Pittsburg defeated Detroit by the score of 8 to 6 in one of the most spectacular and fiercely contested games ever played in a world's championship series. This gives Pittsburg the margin of two games to one.

The game was a plucky fight from the start. In the first inning the Pirates drove Summers out of the box in the first inning.

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TAFT STUCK IN MUD BANK

Delay Only a Few Minutes—President Rides Through Orange Groves.

MARTIAL LAW IS PROCLAIMED

Federal Government Asked to Send Troops to Police the Devastated Section—Chas. Reigns on Every Hand and Few Remain in Their Homes, Hundreds of Which Have Either Been Wrecked Totally or Rendered Uninhabitable.

Key West, Fla., Oct. 12.—As a result of the hurricane which struck the southern coast of Florida, Key West is a mass of wreckage.

It is reported that thirty have been killed and the damage to property is estimated at \$2,000,000.

Martial law was proclaimed by the mayor and the Key West guards are patrolling the city.

The United States government has been asked to send troops here without delay to assist in policing the storm-wrecked area.

Chaos reigns on every hand and few remain in their homes, hundreds of which either have been totally wrecked or made uninhabitable.

The maximum wind velocity was seventy-six miles an hour and thirteen inches of rain fell within a few hours.

The wireless station was among the buildings blown down.

Sky Sulphurous at Miami.

Miami, Fla., Oct. 12.—The sky was overcast with a sulphurous yellow, houses were unroofed and limbs blown from trees by the storm whose full force was felt at Key West.

Robber Blinds and Gags Two Men and Steals Thousands.

Seattle, Oct. 12.—After binding and gagging a chief clerk and his assistant and carrying them to an unoccupied part of the building, a robber stole sacks of gold and silver money and a large quantity of bills from the office of the Great Northern Express company. The amount missing runs into thousands.

While A. P. White, the assistant, was taken out to allow physicians to bat for him in the seventh. McIntyre struck out.

Willitt succeeded Summers in the first inning and did well until he was taken out to allow physicians to bat for him in the seventh. McIntyre struck out.

Maddox was hit hard in the closing innings although Detroit could do nothing with him in the wagner sessions.

The ground rules brought about a long conference between Umpires O'Loughlin and Johnstone and the members of the National Commission.

Then an innovation was made by sending Umpire Kinn to the right field foul line to watch the hits into the crowd and act in an advisory capacity to the other two umpires.

Following is the official attendance and receipts for the game:

Total attendance, 18,277; total receipts, \$20,676. Division: National Commission, \$2,067.60; players, \$11,165.04; two clubs, \$7,443.26.

Detroit..... R. H. E. Pittsburgh..... 6 12 4 Maddox and Gibson; Summers, Willett and Works, and Schmidt.

Rain Stops Interleague Game.

Chicago, Oct. 12.—Wet grounds prevented the fourth Cubs-Box contest.

Alban, Oct. 12.—Rain kept the New York Giants and Boston Americans from playing the third game of their post-season series.

Indicted For Canning an Editor.

Louisville, Oct. 12.—Adjutant General Philip P. Johnston has been indicted for using a cane on Editor D. B. Goode, who alluded to the national guard officer as "Peacock Johnston."

To Attack Anti-Setting Law.

Alban, Oct. 12.—An attack is to be made upon the constitutionality of the anti-retract gambling law.

Lake Superior Is Running High and Shipping Is Delayed.

Duluth, Minn., Oct. 12.—A sixty-mile northeaster, accompanied by snow, sleet and hail, swept over Duluth and vicinity. This region, therefore, is wrapped in the first blizzard of the season.

Much damage of a minor nature has been done at the head of the lakes. Lake Superior is running high. Shipping has been delayed.

New Richmond, Wis., reports a fall of snow.

Magistrate Gives Hard Labor Sentence to Lady Lytton and Others.

Newcastle-on-Tyne, Oct. 12.—The suffragettes arrested for disturbing a meeting addressed by the chancellor of the exchequer, were dealt with severely.

THIRTY DEAD IN FLORIDA STORM

Key West Turned Into Mass of Wreckage; \$2,000,000 Lost.

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NEW ROAD IN WISCONSIN

Plan to Spend \$3,000,000 For Line From Winona, Minn., to Sparta, La. Crosse, Wis., Oct. 12.—President W. J. Ferris of the La Crosse Water Power company, admits that a special meeting of the city council will be called at which the company will apply for a franchise to enter La Crosse with an electric railroad to be run from Winona, Minn., to Sparta, Wis., via La Crosse.

BALLOT FRAUD INDICTMENTS

Jury Acts on Hearst Charge Tammany State Independence League.

New York, Oct. 12.—Nine men charged with "stealing" William R. Hearst's Independence League for Tammany at the September primaries have been indicted.

Four arrests have been made, the prisoners being men who served as Wilson trial judges. The grand jury, sitting in a district where a Tammany captain was elected an Independence League leader.

Prisoner Taken to Bank Steals \$1,000.

Youth Shoots Policeman Who Tries to Arrest Him.

Lawrence, Kan., Oct. 12.—Armed citizens are searching for Earl Bullock, an eighteen-year-old desperado, who looted the State bank at Eudora, and perhaps fatally wounded Policeman Wilson. Bullock was arrested by Deputy Sheriff E. Woods on a charge of robbing a store. Desiring to talk with Cashier E. E. Wilson, the deputy took the boy to the bank.

While Woods and Wilson were talking, Bullock drew two revolvers and ordered them to throw up their hands. Then he marched them into a vault and locked the door. He took \$1,000 and fled. Pringle traced the boy to his mother's home. The policeman was shot when trying to arrest young Bullock.

Snow Falls in Five States.

Flakes Drop in Iowa, Missouri, Ohio, Minnesota and Wisconsin.

Des Moines, Oct. 12.—Snow fell here for a short time. It was accompanied by a piercing north wind. Light snow is reported from many towns in the state.

St. Joseph, Mo., Oct. 12.—The first snow of the season fell here. The precipitation was light and the snow melted as fast as it fell.

New Richmond, Wis., Oct. 12.—Snow buries here were followed by a blizzard. The temperature dropped to freezing.

Winona, Minn., Oct. 12.—Three inches of snow fell here. At times the storm assumed the proportions of a blizzard.

Hamilton, O., Oct. 12.—A light snow, the first of the season, fell here.

Curzon and Davitt.

Once in the dock of commons, when George Curzon was making some defense as to alleged harsh treatment by Turks of Cretan prisoners, he was interrupted by a query from Mr. Davitt, "Were these prisoners handcuffed?"

Quick as lightning came the reply, "Yes, and some honorable gentlemen ought to be no strangers to handcuffs." This was of course the signal for a violent parliamentary tempest. A day or two after Mr. Curzon went up to Swift MacNeill and expressed his sorrow at having used the expression and his desire to apologize for it in the most public manner. "Why," he said, "I thought the interruption came from you and that you, of course, would have said that I was Davitt who had made the remark. Of course I would not be capable of joking on the subject of imprisonment and handcuffs with a man who had endured nine long years of penal servitude."—London Globe.

C. R. Kluger, the Jeweler, 1060 Virginia Ave., Indianapolis Ind. writes: "I was so weak from kidney trouble that I could hardly walk a hundred feet. Four bottles of Foley's Kidney Remedy cleared my complexion cured my backache and the irregularities disappeared and I can now attend to business every day, and recommend Foley's Kidney Remedy to all sufferers, as it cured me after the doctors and other remedies had failed."

For sale by Anders & Phillips.

ONE OF IOWA'S FINEST BARNS GAINS IN LAND.

No. 44.

200 acres of land, 154 acres in cultivation, and balance is timber and pasture, has a good house, with six rooms, barn 36 ft X 44 ft, granary 14 ft X 20 ft, corn crib and machine shed 25 ft X 30 ft, and many other out buildings all in good repair, has two wells and a living spring, and this farm is all fenced and cross fenced and lies 4 miles from town, and one and one half to a church and one mile to school, and can be bought for \$37.00 per acre. This land is cheap at \$50. per acre. but this man is bound to sell on account of his health, have many other bargains arranging from \$1 per acre to 775 acres and arranging in price from \$20.00 to \$70.00 per acre. Write for any size farm you would want and I will send you same.

I also have a 50 barrel water power grist mill all in the best of repair, will trade for a good farm, or sell for cash, this mill belongs to a widow woman whose husband has just died and she is unable to run it, and does not care to rent it. The mill can be had for \$8,000, and this is less than half what the mill is worth. Enquire of C. J. WAGNER, Lansing, Iowa.

3412

Woman Owns Household.

The wife in Abyssinia always owns the house and contents.

Mancheater & Oneida Railway Company

Special Excursion Rates Via Chicago Great Western Railway Company.

One Way Colonist Rates, Northwest, West and South-west. Dates of Sale September 15th, 1909, to October 15th, 1909. Tacoma, Seattle and Portland \$28.90. San Francisco, \$29.90. Los Angeles and San Diego \$29.90.

Home-seekers' Excursions to Western Points, on sale first and third Tuesday, August, September and October 1909.

Further information regarding other rates, routes and through car service furnished on request.

C. J. BOARDWAY, Traffic Manager.

Chicago, Milwaukee & St. Paul Railway

Home-seekers' Excursions

To the Dakotas and Montana

October 5 and 19, November 2 and 16.

On October 5 and 19, November 2 and 16, and on December 7 and 21, low-fare home-seekers' tickets will be on sale to stations in the Dakotas and Montana on the new line to the Pacific Coast, which is now completed to Seattle and Tacoma.

Tickets are good twenty-five days from date of sale and are good for stop-over, thereby affording an excellent opportunity for making a careful inspection of this new country and its unusual farming and other opportunities.

Vast areas of fertile farming lands, including thousands of acres of HOMESTEAD LANDS, well adapted for diversified farming, have been made accessible through the construction and completion of the new

Chicago Milwaukee & Puget Sound Railway

Thousands of enterprising farmers have already located along this new line. There is still room for you. If you intend to engage in farming or are now farming and wish to change your location, why not make a trip through this new country?

Take advantage of these low fare excursions and stop off at Aberdeen, Moberg or Lemmon, South Dakota, to register for one of the ten thousand 100 acre farms in the Standing Rock and Cheyenne River Indian Reservations. Registration October 4 to 23. Drawing at Aberdeen, October 26.

Complete information regarding cost of tickets, train service, and descriptive folders free on request.

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