

In any act or thing in the said indictment charged as having been done and performed in any way whatsoever by this defendant in the said State of Tennessee, nor has defendant done or performed any act or thing in or party to the same, or any of them in any other place or places at any other time or times whatsoever.

Thereupon counsel for the government renewed its objections, as aforesaid. Order Issued. After hearing counsel on both sides, the court announced its decision of Judge Waddill, as published in yesterday's Times-Dispatch, and then the record continued.

Therefore, it was ordered that the testimony offered in this case, and will not be received, and I therefore made the following order: United States of America, Eastern District of Virginia—Set. The within named James G. Tinsley having been brought before me, and identified, and it appearing by a duly authenticated copy of an indictment that he stands indicted in the Circuit Court of the United States for the Middle District of Tennessee, in cause No. 903 in said court, entitled "The United States vs. Virginia-Carolina Chemical Company et al.," for violation of section one of the act of Congress approved March 3, 1878, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," and for violation of section 6490 of the Revised Statutes of the United States, it is ordered that the said James G. Tinsley give bail in the sum of five thousand dollars with one or more solvent sureties to his appearance before the said Circuit Court of the United States for trial before said court, under the said indictment; or that in default thereof, he is imprisoned for seasonable removal to the said Middle District of Tennessee, to be there dealt with according to law.

Declined to Give Bail. And after said order had been made and the defendant declined to give bond, the counsel for the United States moved that the warrant do issue directed to the Marshal of this District for the imprisonment and removal of the said J. G. Tinsley to the said Middle District of Tennessee, and his delivery to the custody of the United States Marshal of the district.

On such motion counsel for the said J. G. Tinsley objected and again offered the said J. G. Tinsley as a witness, together with the other witnesses heretofore referred to, to establish the same matters and facts as heretofore stated with regard to the objection to the order for the commitment of the said J. G. Tinsley, which testimony was called for by the counsel for the United States on the same grounds as above set forth, and on the further ground that these matters could not now be inquired of in this stage of the proceedings, and that the order by the court, to all of which counsel for the said J. G. Tinsley duly excepted and had the exceptions noted and entered.

Warrant Issued. I, therefore, issued a warrant directed to the Marshal, as follows: United States of America, Eastern District of Virginia—Set. Whereas it has been made to appear that James G. Tinsley stands indicted in the Circuit Court of the United States for the Middle District of Tennessee, in cause No. 903 in said court, entitled "The United States vs. Virginia-Carolina Chemical Company et al.," for violation of section one of the act of Congress, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," and for violation of section 6490 of the Revised Statutes of the United States, and whereas the said James G. Tinsley having been brought before me, and identified, and a certified copy of said indictment furnishing probable cause to believe him to be guilty as therein charged, and whereas the said James G. Tinsley has refused to give bail in the sum of five thousand dollars, with one or more sureties for his appearance before the said Circuit Court of the United States for the Middle District of Tennessee for trial under said indictment, or that in default thereof, he is imprisoned for seasonable removal to the said Middle District of Tennessee, to be there dealt with according to law; and the said defendant having failed and refused to give bail as required, therefore, You are hereby commanded in the name and by the authority of the said United States to imprison the said James G. Tinsley in accordance with law, and that with all convenient speed you remove him hence to the said Middle District of Tennessee and there surrender him to the Marshal of that District, there to be dealt with according to law.

There Were Others. Immediately upon the signing of the above document by Judge Waddill, Mr. Sandford asked that warrants be issued for the arrest of six other defendants in the same category with Tinsley. They are Samuel T. Morgan and J. Rice Smith, of Richmond; Fortesque Whittle, of Petersburg, and Frank E. Wilcox, of Petersburg, and Frank S. Hoyster, of Norfolk.

The court announced that it would issue these warrants at this morning's session of the court, which will begin at 10 o'clock. The court then adjourned to that hour. As soon as the proceedings before Judge Waddill came to an end, with the signing of the record, the cortege of lawyers representing the defendants put their heads together, and after something more than an hour's consultation they had a paper ready to read before United States Circuit Judge Nathan P. Goff. It was a petition for a writ of habeas corpus in the case of James G. Tinsley.

Judge Goff had been sitting all day in the Circuit Court of Appeals at the other end of the Federal building, and was then in his private rooms resting from the labors of the day and chatting with Judges Pritchard and Boyd. This little eight by eight room was invaded by two of the lawyers for the defense, Major Smythe and Mr. Bradford. The record as given above was hurriedly read to the Circuit Judge, and a formal appli-



"Berry's for Clothes." Do you look fresh, cool and comfortable as a man should at this season? Our underwear may give you just the comfort you're lacking. We've the most soothing sorts here. 80 cents up. Underwear in broken sizes greatly reduced in prices. \$2.00 Underwear at \$1.15. \$1.25 Underwear at 85c. 78c Underwear at 48c.



Writ Issued. Judge Goff immediately issued his writ, directed to United States Marshal Morgan Treat, requiring him to "produce the body of James G. Tinsley" before the judge at 10 o'clock this morning, at which time argument on the application for the writ will be heard in full, and the probability is that much of today will be taken up with the argument. In the meantime, Mr. Tinsley remains in the custody of Marshal Treat.

Other Warrants. At 10 o'clock this morning Judge Waddill will sit to issue warrants for the arrest of Messrs. Morgan, Whittle, Wilcox, Hoyster, Smith and Burroughs, and it is understood that they will be present in court and accept service of the warrants at once, and then the same application for writ of habeas corpus as in the Tinsley case will be made in their cases.

POP TATE GETTING UP GAME OF BALL. "Pop" Tate, of the Second District, has accepted Pete Dalton's challenge to play a game of baseball, and has looked over the patrolmen under Captain Hulce and found nine that look good to him. "We will play them within a short while, and that baby down at the First Station will go back and decline to move for awhile, after I land on him for a home run. Say, he will be pie for the men that I will send on the diamond. There ain't nothing on the Richmond League team that can do anything to the bluecoats that the Second District will send out. Can I throw to second base? Well, say, you km, just watch me when I get that mask on. My arm is in good shape and you know my hand is steady, for didn't I hit the ball's eye this afternoon?" Pop Tate talked in this vein yesterday afternoon, and he impressed those around him with the baseball fever.

But Pete Dalton and Johnny Duffy, of the First District, believe they can show the up-town men a few things about the national game. Pete is to be the pitcher and Duffy will be behind the bat. Pete is a southpaw and once did the twirling for the Esherbourn nine.

Mr. Bedford, the baby of the Second District, will be in the box for Tate's nine. "Oh, I've got speed enough and my curves are breaking nicely. They won't be able to see 'em, said the round patrolman yesterday. Tate will line his men up like this: Tate, C.; Bedford, P.; Thomas, s. s.; Goldsby, I.; Portiaux, 2b; Nelson, 3b; Farley, I. F.; Hulcher, c. f.; Walker, r. f.; and Sowell and Andrews, substitutes.

STOCKHOLDERS OF CHEMICAL CO.

Annual Meeting in Jersey City July 18th—Officers to Be Chosen.

TO CONSIDER STATEMENT

Condition of Company at Present Will Be Discussed by Stockholders.

Table with financial data for the Chemical Company, including annual meeting details, net earnings, and assets/liabilities.

AWFUL FILTH FOUND IN ENGLISH FOOD FACTORIES

Nauseating Disclosures Made in Annual Report of the Inspector of Workshops. LONDON, July 11.—The Britshers who have been so virtuous recently over the Chicago meat packing revelations were today confronted with the annual report of the inspector of factories and workshops, which shows that the conditions here are quite as revolting as anything alleged of the Eastern packing center. Dirty factories and disgusting methods can be to the rule instead of the exception. Jam factories, bakeries and sausage makers are all censured as being equally filthy, and the description of one fits most of the others. Here is the report on a typical jam factory: "The boiling room lay between the yard and the stable, and the horses reached the latter through the boiling room. The sanitary accommodations were hardly separated from the rooms where the fresh fruit and uncured jam were kept, and the floors were dirty and unclean. Factory inspector found jam pots being washed in 'liquid lark soup, which smelled abominably.' The manager informed the inspector that the water was changed 'about once a week.' Inspectors of factories found that it was a frequent custom to bathe the children in them after the close of work on Saturdays. The sausage factories, says the report, are mostly owned by Germans, and are 'small, dilapidated, badly lit, and often infested by rats.'

THE WEATHER.

Weather forecast table for Virginia, North Carolina, and other regions, including temperature and conditions.

Thermometer This Day Last Year and Miniature Almanac table with temperature data for various locations.

VOTING COUPON.

Ballots Must Be Deposited at Times-Dispatch Office, 916 E. Main. The Mecklenburg TOXAWAY INN, Kenilworth Inn, The Intermont Hotel, Ocean View Hotel, Pine Beach Hotel, Mt. Elliott Springs Hotel, Buckroe Beach Hotel, Hotel Wachapreague and Island House.

The Times-Dispatch Fourth Annual Outing Tours Contest

Contest details for July 21st, including prizes, rules, and participating hotels. Includes a coupon for two votes for young ladies named below.

FIRST DISTRICT'S SPLENDID FIGHT

Captain Whitlock's Men Put Up Plucky Contest, and Lost by Narrow Margin. INTO REALM OF FRACTIONS. It Took the Subtraction of Decimals Before Victory Was Found for Kid Glove Men.

Boxing results table for the First District, listing fighters and outcomes.

Racing at Latonia table with race results and times.

HAMBURG BELLE WON AT BRIGHTON

Favorite Took Lead at Stretch and Won by a Head. WHIMSICAL IN SECOND PLACE. Race Was Opening Feature of Brighton Beach Midsummer Race.

Racing results table for Brighton Beach, listing race details and winners.

Racing at Latonia table with race results and times.

COLONEL BUTTON AND HIS OFFICE

Deadlock Between Him and Corporation Commission Matter of Interest in Washington.

CONSTITUTIONALITY OF ACT

Vice-President Fairbanks Working Hard to Hold Virginia Republicans in Line.

(From Our Regular Correspondent.) WASHINGTON, D. C., July 11.—The deadlock existing between the State Corporation Commission of Virginia, on the one hand, and Colonel Joseph Button, elected to the office of State Insurance Commissioner by the Legislature, on the other, has excited considerable comment in this city, and the decision of the Supreme Court of Appeals in the case of the insurance law, passed by Colonel Button to compel the Commission to allow him to qualify for office is awaited with interest.

"I doubted the constitutionality of our act creating the office and electing an insurance commissioner," said Hon. Lewis Maclien, member of the State Senate from Alexandria District, today. "I expressed my doubts to Mr. Catton, the author of the bill creating the office, but I followed a fixed rule to resolve all doubts as to our power to enact a law in favor of the Legislature. Otherwise, we should never know the extent of legislative power; in fact, if the members of the Legislature resolved such matters and other ways that procedure would be to limit legislative power all the time. The court can very easily decide as to the constitutionality of an act of the General Assembly. I did not question seriously the power of the Legislature to create the Bureau of Insurance under the jurisdiction of the Corporation Commission, but I do question and question still, our authority to elect the commissioner."

He Didn't Know Fairbanks. Vice-President Fairbanks evidently does not regard it as a "sure thing" that Secretary Shaw is to have the Virginia delegation to the Republican national convention in 1908. It is said that Mr. Fairbanks has several embassies at work in Virginia all the time, looking to 1908, and it is known that he has been speaking in various parts of the State in the course of the past six months or so. Several of them have been entertained at his home and elsewhere in the city. Mrs. Fairbanks, who is a lawyer like her husband, and rather a better politician, has taken a hand in the extension of courtesies to the Republican brethren from across the Potomac.

A good story is being told to-day concerning a Virginia friend of the Vice-President, though the joke may also be construed to reach Mr. Fairbanks himself. Some weeks, this Virginia Republican, who knew Mr. Fairbanks rather more than casually, received an invitation to come to Washington and take breakfast with him on a certain day. The Virginian, in trying to keep the engagement, found on reaching Colonial Beach, forty miles down the Potomac, that he could not reach Washington in time to breakfast with the Vice-President. He wrote a telegram to Mr. Fairbanks expressing his regrets, and took it into the little telegraph office. The operator read the message, "Say," said the operator, "you haven't any address."

"That's all right," said the other, overboard, "I know that man." "I don't," said the operator, "who is he?" "It's the Vice-President of the United States." "Well, I guess you'd better put his address on the telegram," replied the operator, and the Virginian, who had had a very meagre address he had at first given. He swears that getting people interested in Fairbanks as a presidential candidate is very up-hill work.

After the Ice Trust. The grand jury which is probing the so-called ice trust of Washington has brought to light a rather humorous state of affairs. The jury seems to have established the fact that there are very few if any "independent" dealers in Washington, all the ice being supplied by the American Ice Company, which does not seriously deny being a trust. The "independents" have been fighting for years, soliciting trade on the ground that to encourage them was to fight the trust. But the grand jury has about established the fact that the independents are not only a myth. Possibly the same state of affairs may exist in other cities—Richmond, for example. The seven drivers of ice wagons arrested for giving short weight generally forfeited the collateral deposited for the appearance in Police Court, but two of them preferred to fight. The cases will come on next week. It is the intention of the grand jury to prosecute the ice trust if sufficient evidence is adduced to warrant the institution of a suit. Commissioner Harry L. West is behind the movement to probe the trust, and it would seem that he has made out his case.

The Inland Waterway. The board of engineers appointed to make a survey for an inland waterway from Norfolk to Beaufort, N. C., has reported to General McKenize, chief of the engineer corps of the army. The report is not to be made public until the convening of Congress, which authorizes the reconstruction of the waterway. A channel of twelve feet in depth is recommended. Congress authorized a survey of this route about ten years ago, providing for a sixteen-mile channel, but this work would have been about ten million dollars, and Congress was so busy appropriating money for fortifications and harbor improvements in the Philippines that it would not consider a proposition to spend such a sum so close to home. The benefits to be derived from merchant vessels, and the dangers which beset navigation off Cape Hatteras, the most dangerous point on the South Atlantic seaboard, have been appreciated for generations, but Congress has not acted. Representatives from Norfolk to Carolina, has been fighting for money to carry out this work for years, and is making headway. When this new route is established it will be a lasting monument to his energy and industry.

Postmasters Appointed. (From Our Regular Correspondent.) WASHINGTON, D. C., July 11.—Postmasters appointed: Virginia—Liberty Furnace, Shenandoah county, John P. Stokely, vice A. A. Long, resigned. North Carolina—Blon College, Blaine county, James Wimple, vice P. Hughes, resigned. Iowa—Cowan C. Turner appointed regular, John P. Turner, substitute rural carrier, Route 1, at Dante, Va.

Bismolone Talcum Powder advertisement with text: Bismolone does all that any good talcum powder does, and more—beats scabs, burns, scalds, insect bites and all skin irritations. Made of pure healing bismuth and finest imported talc.

TROOPS MASSES ON THE FRONTIER

Hostilities Between Salvador and Guatemala Have Broken Out Anew. UNITED STATES AS MEDIATOR. American Minister, on Way Home, Has Been Ordered Back to Station.

(By Associated Press.) WASHINGTON, July 11.—Hostilities between Salvador and Guatemala have broken out anew on the border between those countries, where peace was supposed to have been established, pending a settlement of the trouble between the two countries. Leslie M. Combs, the American minister to Guatemala, who was on his way to the United States to assist in settling the difficulties between Salvador and Guatemala, has been ordered back to Guatemala City, from whence the Guatemalan, where he was reached by cable, Mr. Combs will remain in the Guatemalan capital to keep the United States advised concerning the trouble and to protect American interests.

Troops Mass on Frontier. Salvadoran and Guatemalan troops have been massed near the common boundary of the two countries for some time, and a serious clash was expected to have occurred. Guatemala, where he was reached by cable, Mr. Combs will remain in the Guatemalan capital to keep the United States advised concerning the trouble and to protect American interests.

Mediation Desired. As soon as the position of the United States was made clear, Salvador announced that Mr. Pacus would come to Washington to explain the situation, and Guatemala indicated a willingness to have mediation. Reports reached the State Department concerning the internal conditions in Guatemala, and it was believed until to-day that President Cabrera had put down the revolution, and that the row with Salvador would soon be amicably settled.

Mexican Citizen Executed. (By Associated Press.) MEXICO, July 11.—A report received from Guatemala, via Yucatan, states that Alfredo Quinones, a Mexican citizen, has been executed, and his remains are given to the Guatemalans, but there is no confirmation. General Elizondo, a Guatemalan officer, has left for the United States on a secret mission.

HIGH-WATER MARK FOR CONVENTION. Hayes, Taylor, of Indianapolis, and A. P. Thomas, of Lynchburg. Night Session. At the night session Professor Ed. H. Webster of the United States Department of Agriculture, made an address on good roads, illustrated, and J. P. Jackson of Richmond, spoke on the relation of the press to agriculture. The excursion to Blacksburg will start at 8 o'clock to-morrow morning, and eleven cars will be packed.

Tutt's Pills advertisement with text: A HAPPY HOME is one where health abounds. With impure blood there cannot be good health. With a disordered LIVER there cannot be good blood. A healthy LIVER means pure blood. Pure blood means health. Health means happiness. Take its Substitute. All Druggists.

Insomnia Fehr's Malt Tonic advertisement with text: Insomnia is generally caused by exhaustion of the nerve forces. Revive, rebuild and replenish them. Don't use dangerous drugs to do it, but try Fehr's Malt Tonic. Fehr's Malt Tonic Dept., Louisville, Ky.