BELL CO. WINS

Will Continue Control of Telephones

BERLINER PATENTS UPHELD

AND ARE GOOD FOR TEN YEARS TO COME

The United States Supreme Court Decides That There Was No Fraud Nor Collusion

Associated Press Special Wire.

WASHINGTON, May 10.—The Bell Telephone Company has won the case brought against it by the United States to annul the last Berliner patent. This decision has the effect of continuing the control of the telephone by the Bell Company for 17 years from the date of the last patent, granted in 1891.

The case has attracted wide attention because of the extensive interests involved in its settlement and the opinion of the court has been anxiously awaited. The suit, it was claimed, involved the practical control of the art of telephoning. It originated in a charge of collusion in the patent office and was brought to obtain the repeal and cancellation of letters patents U. S. No. 463,569, dated November 17, 1891, granted to the American Bell Telephone company as assignee of Emil Berliner, the alleged inventor. The repeal and cancellation of the patent was sought upon the ground that the application for it while filed in 1877, was not issued until 1891. This delay was charged to be unnecessary and improper on the part of the patent office, and the Bell Telephone company, which, as Berliner's assignee, controlled the application. It was asserted that the company had acquiesced in and promoted the delay in their own interests, thus defrauding the public of its rights.

It was claimed the the Berliner patent practicily controls telephony, as it has to do with both the transmission and receipt of sound, and that the delay thus secured until 1891 operated to control this act for fourteen years beyond the expiration of the Bell patent.

It was also asserted that the patent was granted by the commissioner of patents without authority of law and it was the same invention for which a patent had been granted in 1880, and that the principle was therefore not new.

With reference to the argument on the subject of the continuance of the telephone monopoly, Justice Brewer repeated that there was no question that BeBll's patent had expired, but it must be remembered that Berliner's rights were independent from those of Bell. If there should be a new invention upon the expiration of the Berliner patent, the rights of its author could not be abridged to relieve the public. The inventor of the latest edition is entitled to full protection and if the telephone company buys the invention it is entitled to all the rights which the inventor had.

Remarking upon another feature of the case, the justice said that taking into consideration the influences under which the suit was started, there were indications that the purpose of striking down the patent was to give value to others and that private competitors of the Bell company were seeking to inspire a rival, not for the public good but for the promotion of their personal interests.

The conclusions of the court, very much condensed, on this branch of the case as to fraud or collusions with the patent office were:

First—That before the government is entitled to a decree canceling a mechanical patent on the ground that it has been fraudulently obtained, it must establish the fraud by convincing testimony.

Second—That an applicant for patent cannot be held responsible for the dilatory acts of patent office officials, unless the delay is brought about through his corruption.

Third—The evidence in this case does not tend in the least degree to show any such corruption.

Fourth—If the circumstances do not show that the delay on the part of the officials was fully justified they do make it clear that it was not wholly unwarranted.

The suit originated in the United States circuit court for the district of Massachusetts, where it was decided in favor of the United States. Upon appeal to the court of appeals for the first circuit this decision was reversed and the contentions of the Berliner claimants upheld. From this opinion the United States appealed to the supreme court.

THE BLYTHE CASE

WASHINGTON, May 10.—Attorney W. H. H. Hart, of California, for Mrs. Florence Blythe Hinckley, who secured the property of the late Henry T. Blythe, made a motion to dismiss the case in the Supreme Court today. Senator Hunton of Virginia, for the contestants, opposed the motion and denied that the case had been brought to the Supreme Court merely for the purpose of delaying the perfecting of Mrs. Hinckley's title to the estate. It is claimed by the contestants that, as Mrs. Hinckley is a subject of Great Britain, she could not inherit land in the United States, and the State could not enact laws permitting aliens to inherit land. The court took the papers and reserved its decision.

REHEARING DENIED

WASHINGTON, May 10.—The Supreme Court today denied the petition for a rehearing of the Transmissouri Freight Association case.

BISMARCK HONORED

Ra... does Not Damp Loving Germans' Adon

FRIEDRICHRUHE, May 10.—Three thousand men were in line in a torchlight parade this evening given in honor of Bismarck. A heavy rain was falling, but in spite of this Prince Bismarck appeared upon the balcony and witnessed the procession march past. The crowd then gathered in front of him and listened to a brief address by President Zaler, congratulating him upon his recovery from his recent illness.

Despite the rain everybody uncovered when Prince Bismarck began his reply. He changed his familiar cap for a cuirassier's helmet and the incident was greeted with a storm of cheers. He spoke deliberately and distinctly and with some of his old time vigor. He referred to the fact that it was just fifty years ago when he entered parliamentary life, and added: "One of the advantages of becoming old is that one becomes indifferent to hatred, insult and calumny, while one's capacity for love and good will is increased."

In concluding, he expressed his love for all who had done him the honor of the evening, called for cheers for Hamburg and then left the balcony and sat in a tent erected in the park to witness the further proceedings. Count Herbert Bismarck, Count Von Rantzau and Dr. Schweninger received numerous floral tokens on behalf of the prince.

STATE SHOPS

Will Run on Appropriations or Close Up

SACRAMENTO, May 10.—The state board of examiners considered a resolution today, the effect of which, if passed and not rescinded, will probably be to impair the efficiency of many institutions and commissions of the state. The resolution emphatically states that the board of examiners will refuse to vote to allow any deficiency, and this means that those institutions whose appropriations are insufficient to carry them through will have to cut down expenses to the lowest possible notch, or else close up shop.

The resolution, which was introduced by Secretary of State Brown, reads:

Resolved, That for the forty-ninth and fiftieth fiscal years that various state institutions, committees, departments and offices must be supported by the appropriations made by the legislature for that purpose, as the state board of examiners will not grant deficiencies in the appropriations made by the legislature for their support or for any other purpose. They are hereby requested to govern themselves accordingly and the secretary of this board is hereby directed to have this resolution printed and a copy sent to each person affected.

THIRTEEN CORPSES

LYING IN STEAMER LEONA'S STEERAGE

Captain Wilder Placed Under Arrest Pending Investigation of the Disaster—Details Meager

NEW YORK, May 10.—It was a gruesome sight on the Mallory steamer Leona today. Thirteen bodies, blackened by fire and smoke, were lying in the steamer's steerage. The men and women on deck looked as though they had passed through an awful ordeal. Nobody was allowed either to leave or board the vessel until after the Coroner viewed the bodies and gave permission for their removal. Coroner Hoeder, as a matter of form, placed Captain Wilder under arrest. He was paroled in custody of Mr. Mallory. Thomas Doyle, aged 67, of Patterson, N. J., who was on his way to Vallejo, California, to see his uncle and aunt, will be detained until the inquest. Doyle was among the steerage passengers who occupied bunks on the starboard side of the vessel. He said among passengers who could speak English was a young Irish girl, Lizzie Sullivan, on her way to Los Angeles, Cal. Doyle stated he was lying asleep early Sunday morning when awakened by a suffocating feeling. The apartment was filled with smoke. He made for the companion way leading to the upper deck. At the entrance of the companion way the steward was shouting. Doyle started up and found two men had preceded him. He fell back, having lost his balance, and when he started up again was assisted by some one from behind, who pushed him up.

NOT BADLY BURNED

NEW YORK, May 10.—An examination of the steerage compartment of the steamer Leona, which put back into port last night with a fire in her inside, was made as soon as the ship had cooled off sufficiently, and thirteen corpses were discovered. Their attitudes showed that they were trying to escape when death found them. Some lay huddled in a heap; others were on their knees, with hands outstretched, as if to grope their way through the darkness and the blinding smoke. None of them were burned so horribly that they were utterly unrecognizable.

The flesh on their features was gone, and in places the naked bones, charred and blackened, had been disclosed to view. The butcher and the two waiters were the least burned of any of the dead, and it was easy to identify them. The dead were not disturbed. They are still lying where they fell, and will be removed on the order of the Coroner today.

Part of the Leona's cargo consisted of matches, which were stored near the wheelhouse, and it is possible that the fire was caused by the matches. The damage to the vessel and cargo is extensive.

At 1 o'clock this morning Charles R. Mallory of the Mallory line and Coroner Hoeber boarded the Leona. After viewing the bodies and questioning the Captain, Mr. Mallory said to the reporters present: "There are thirteen dead on board; but everybody on the ship is so excited that I have not yet been able to get a full report about the fire. When I do I will give it out.

"This is all I have been able to learn so far: The steamer sailed on Saturday at 3 p. m. She had forty passengers on board, of whom twenty-three were in the steerage. At 1 a. m. Saturday morning fire was discovered bursting out of the forward hatchway. It spread very quickly, and almost as soon as the alarm sounded the steerage and companionway were filled with smoke. The cause was spontaneous combustion among the miscellaneous cargo. When the fire had been put out it was found that ten of the steerage passengers, both men and women, had been suffocated and their bodies burned. Two of the steerage waiters were likewise dead, and a butcher."

Coroner Hoeber asked a number of questions regarding the breaking out of the fire, the means of egress which passengers had, etc. Then he turned to Mr. Mallory and said: "I consider it my duty to put Captain Wilder under arrest, pending investigation into this deplorable accident. But I do not wish to put him to any unnecessary inconvenience, and I will accept Mr. Mallory's assurance that he will not run away." This being given, the formalities of the night were over.

More Conductors Coming

SALT LAKE, May 10.—The special train of the New York Central conductors arrived here this morning. The conductors spent the day visiting Saltair beach and other points of interest and left for California this evening.

SHOT HIMSELF

Julius A. Kelly Blows Out His Brains

HIS BUSINESS REVERSES

PREYED UPON HIS MIND OF LATE

Said to Have Invested His Wife's Money in an Unprofitable Undertaking—Details

Julius A. Kelly, a well-known resident of this city, committed suicide shortly after midnight last night by blowing out his brains with a revolver. The act was committed at 221 West Fifth street, where Kelly and his wife have been living for the past month. He first took a large dose of laudanum and then shot himself.

Business difficulties are said to be the cause of the rash act. Several months ago Kelly purochased a half interest in the Anheuser-Busch saloon on South Spring street. About a week ago he sold out and it is understood lost a considerable sum by the transaction. As a result he has been very much depressed ever since.

Yesterday morning Kelly left home immediately after breakfast and said that he was going to Santa Monica to look after some business matters. He did not return until nearly 12 oclock and found his wife in a high state of anxiety at his long absence. She reproached him for staying away and complained of being lonesome without him. He replied by saying: "Yes, I know it is not right, I ought not to leave you," and then kissing her two or three times he walked into a closet across the hall.

In two or three minutes after he left a pistol shot was heard. The proprietor of the house hurried to the place and found Kelly lying upon the floor with the blood spurting from a bullet hole in the temple. Mrs. Kelly also heard the shot and guessed the cause. She fell in a hysterical fit. By this time several of the inmates of the house had arrived upon the scene and a doctor was sent for.

The coroner was notified by telephone at the same time. When the physician arrived Mrs. Kelly was put under the influence of an opiate.

When the coroner reached the scene he found the body lying in a pool of blood in the closet. A vial of laudanum, which was half empty, was on the floor beside the dead man, indicating that he had taken a dose of the poison before shooting himself. The body was removed to Orr & Hines' undertaking parlors, where the inquest will be held today.

Kelly has been in a terrible state of depression for several weeks, and had frequently threatened to kill himself if he did not succeed in his business. It is understood that he invested a large amount of his recently wedded wife's money in the Anheuser-Busch saloon. When he realized that the venture was unsuccessful, and that he had lost the greater portion of it, he brooded over the fact and has not been quite himself since.

About three months ago Kelly was divorced from his former wife, who lives on the corner of Bunker Hill avenue and Court street. A month later he married a widow named Wanfield. She was a woman of considerable wealth, and it is understood furnished the money which was invested in the Anheuser-Busch saloon. The two rented a suite of rooms at 221 West Fifth street, and have been living there since. Kelly has three daughters by his first wife, all of whom live with their mother.

Kelly was about 45 years old, and has lived in this city for eighteen years. He has occupied several official positions and is well known. He was once elected county recorder, and was for several years connected with the Guarantee Abstract and Trust company. His latest business connection was with the Anhueser-Busch, which proved so unfortunate. Mr. Kelly's mother lives in this city, at 243 South Spring street. She was not informed of the tragedy last night.

NO TARIFF WAR

Italy Will Not Attempt Retaliatory Legislation

ROME, May 10.—In the chamber of deputies today, the minister of finance, Senor Luzatti, replying to Count Delta Rocca, said it would be a serious error to retaliate against the United States since the Dingley bill permits a new convention. Italy, the minister added, will open new negotiations to protect her exports which will include all her agricultural products. Tobacco and petroleum, he explained, were taxed 400 per cent, and as the stock necessary for the manufacture of tobacco is bought by the government, it would not be practicable to increase the duties on these imports. They must await the action of other countries, whose commerce with the United States is more important.

In spite of the tariff, Sener Luzatti continued, Italy's commerce may increase and they should wait for the result of the experiment.

In conclusion Senor Luzatti assured the house that the government would not evoke even attention to the subject and would carefully protect the commerce of the nation.

Race Entries.

The following is a list of entries and weights for the races at Oakland, which are posted at the Los Angeles Turf club, 212 South Spring street. Commissions received on these races and full descriptions of the events given. Races begin at 2 p. m.; first quotations received at 1:30 p. m. Telephone, Main 1431.

First race, seven-eighths of a mile, selling—Rapido 87, Con Moto 90, Nabopolassar 87, Skalkopo 95, Tobey 87, Yucatan II. 90, MecFarland 87, Picnic 95, Alvero 87, Mary Nievez 85, Senator Mahoney 87, Flora S. 85, Suffrage 90, Fannie E. 90.

Second race, three-fourths of a mile, selling—Red Will 114, Hueneme 114, Fred Gardner 114, Virgie A. 107, Nervoso 111, Jack Atkins 109, Little Scot 114, Henry Grattan 119, Ruthledge 119, Rey Alta 119, Corriente 117, Blue Bell 109, Decision 117, Sam Leake 122, William O. B. 124, Ofleeta 111, Capt. Rees (by George Kinney) 121, Emma D. 109, Gold Boy 119, Iron Jacket 111, Rose Clark 119, Soledad 121, Charlie Boots 119.

Third race, eleven-sixteenths of a mile, selling—Jerilderio 107, Grandezia 107, Alma 107, Hallelujah 107, Los Cerillos 107, Florimel 107, Sly 107, Marcie A. 107, Santa Paula 107, Reel 107, Rufalba 107, Fashion Plate 107, Iron Packer 107, Fannie S. 107, Naranja 107, Broxey 107, Little SiSster 107, Alcatraz 107.

Fourth race, one mile and one furlong, selling—Billy Vice 96, Borgia 93, Logan 116, George Palmer 93, Don Clarencio 96, Pepper 102, Hermanita 111, Lady Hurst 91.

Fifth race, seven furlongs, selling—Benham 105, Last Chance 102, Nettie D. 95, Perhaps 87, Sir Phillip 99, Jack Martin 99, Fullerton Lass 90, San Tuzza 105, Mulberry 90, Roadwarmer 97, E. H. Shirley 95, Oakland 92, King William 95, Nic Nac 85, Treachery 95, Marionette 100.

Sixth race—One mile and one sixteenth, purse—Addie Buchanan 100, Lobengula 105, Frank Jaubert 102, Charles A. 102, Peter the Second 105, Una Colorado 102, Two Cheers 102, Miss Ruth 100, Collins 102, Sea Spray 102, Earl Cochran 102, Ransom 102, Walter J. 105.

SONS OF HERMANN

Report Made of Sums Expended in Charity

WOODLAND, May 10.—At the afternoon session of the Grand Lodge Sons of Hermann, various reports were considered. They show a present membership of 1755 and a sister lodge of 137 members. The Grand Lodge has a treasury of $62,923, an increase of $3440 over last year and the sister lodge a treasury of $1371, an increase of $75 The Grand Lodge has paid out $12,282 for sick benefits and $2861 for death benefits. The sister lodge has paid out $150 for death benefits. A number of amendments to the by-laws were proposed but will not be acted upon until Tuesday. The fire department gave an exhibition drill on Main street in honor of the visitors this afternoon.

This evening the Grand Lodge attended in a body an entertainment given by the German ladies.

THE TIME CUT DOWN

THE ANNUAL LOS ANGELES-SAN DIEGO BICYCLE RACE

The Messages Arrive at Their Destination Five Minutes Ahead of Schedule Time

The annual bicycle race between Los Angeles and San Diego took place yesterday and, as was predicted, the record was broken and the schedule time beaten by five minutes. The start was from in front of The Herald office at 4:31 o'clock.

F. G. Lacy took the first relay. He was paced the first half of the distance to Puente by Gus Johnson and J. J. Travers, the remainder by H. W. Gillespie and George Romans. Fast time was made despite the heavy fog which was so dense as to almost obscure the road. The distance was covered in 56 minutes, arriving at 5.27. Here Mussey was to take the message. He was found asleep in front of a building waiting for the arrival of the first relay. Jumping to his feet he grasped the messages and asked one of the riders for his wheel saying his own was punctured, mounted and sprinted away. After he had gone his bicycle was examined and found in perfect condition; Mussey had probably dreamed that it was punctured.

Mussey was to ride to a point in the Puente hills where he met D. Cromwell who carried the messages as far as Pomona.

AT RIVERSIDE

RIVERSIDE, May 10.—(Special.) Riverside 8:14, Corona 8:35. Record is bound to go.

PASSED TEMECULA

RIVERSIDE, May 10.—(Special.) Relay passed Temecula at 10:52.

ARRIVED AT SAN DIEGO

SAN DIEGO, May 10.—(Special.) Message arrived 3:55. Five minutes ahead of schedule.—San Diego Sun.

BY ASSOCIATED PRESS

SAN DIEGO, May 10.—The fourth annual wheelmen's relay race from Los Angeles to San Diego took place today and was highly successful. Few accidents occurred and the message from Mayor Snyder of Los Angeles to Mayor Reed of this city was delivered at 3:55 this afternoon, the riders having covered the distance, 191 miles in eleven hours and twenty-five minutes, breaking the record by 41 minutes. The message left Los Angeles at 4:31 a. m. It was at Corona at 7:35; at Riverside at 8:14; at Perris at 9:15½; at Elsinore at 9:52; at Temecula at 10:52. Much of the riding up to this time was against a heavy south wind.

The San Diego wheelmen took the message at Bonsall, 55 miles from this city Eugene Williams, M. Bass, Will Palmer, James Jefferson, Rob and Will Vaughan brought it from that point to Escondido, leaving Ttalpa mes-at5.3:r Escondido, leaving that place at 1:37½, and Messrs. Everts, Harry and George Lemon and Lycrest conveyed it to the foot of Poway grade. Frazee and Beckwith took it up the grade and Joe Chandler took it down to the Mesa, where Woolman, Lane, Jeffries, Tibbals, Edwards and Redding brought it to the top of Mission grade. Hensley rode the Mission grade and Seright handed it to Alderman L. A. Blochman, who delivered the packet to the mayor, edg, aeset M ed the packet to Mayor Reed.

The 'Frico Dog Show

SAN FRANCISCO, May 10.—The San Francisco Kennel club closed the entries for its coming bench show tonight. The total number of dogs entered at the office of the club was 641. A telephone message was received from Oakland late tonight to the effect that fifteen entries had been mailed from there and seven entries will arrive on the morning train from Sacramento.

All the entries received by mail tomorrow will be accepted, provided the postmark shows that the letters were mailed before midnight. The officers o fthe club are confident that when the mail entries are received the total entries of dogs will be in the neighborhood of 700.

Small Boys Steal Bottles

Seven small boys were arraigned before Justice Morrison yesterday charged with stealing bottles from H. W. Stoll & Co. They all pleaded guilty and will be sentenced today. Their names are Charlie De Monseet, Willie Peck, George Jackson, Willie Petrie, Jim Mezin, Willie Darcy and Mike Muller.

Volger Surrendered

WASHINGTON, May 10.—The secretary of state has issued a warrant for the surrender to authorities of Germany of Carl Volger, who is wanted in Prussia on a charge of arson and is now held at Keokuk, Iowa.

Glenwood ranges, Furrey Co., 159 North Spring.

J.M.HALE & Co FancyGoods. J.M.HALE & Co Dry Goods.

We Apologize

This is the way our store looked every day last week and yesterday. It is estimated that over 25,000 people attended this

GREAT REMOVAL SALE

Even with our great force of salespeople, is it any wonder we could not properly handle this great volume of trade? We apologize to those who were obliged to leave without being waited upon. More new help added for today. Come if you possibly can in the morning, and we'll do our best to serve you at prices such as you've never known before.

Alteration Sale Prices If this sale means low prices anywhere it means it in . . . . . .

Bed Spreads and Bed Rock Prices

CROCHET SPREADS—Large size, made of fine maco combed yarns, tightly twisted, pretty patterns, hemmed for use; regular 75c; Removal Sale, each 50c

BED SPREADS—Fine Marseilles pattern, satin finish, size 80x84, genuine Bates, regular price everywhere, $1 25; Removal Sale each 95c

MARSEILLES SPREADS—Think of it, a genuine Marseilles Spread, size 78x90, beautiful patterns, well worth $2.40; Removal Price $1.69

SHEETS AND PILLOW CASES—Money-saving items; Hemstitched sheets, 8 x90, fine muslin; New York Mills; torn and ironed by hand, 2½ yards long, with 2 inch hem Selling At 44c

HEMSTITCHED SHEETS—81x90, extra superfine muslin, torn and ironed by hand, 2 inch hem, 2½ yards long, with very deep hem Selling At 48c

PILLOW CASES—Sizes 45x36, good muslin, regular 15c; Sale ..... 10c each

PILLOW CASES—Size 45x36, good muslin, hemstitched, regular 28c. Sale ..... 12½c each

WASH GOODS—Tambour Fantaisie, fine dainty French pattern, light and dark, beautiful designs, regular price is 25c; yard Sale Price is 19c

WHITE DIMITY—30 inch wide, in stripes and checks, very fine and sheer, regular worth is 10c yard; Sale Price 7½c

BLACK INDIA LINEN—32 inches wide, nice, handsome, firm material, regular selling price is 20c; Sale Price 12½c

Linens, Crashes and Towels

LINEN DAMASK—60-inch, cream color, pure linen, pretty designs, regular price was 45c; Alteration Sale, yard 37½c

LINEN DAMASK—A beauty, 58 in. wide, half bleached, for a good serviceable cloth "here it is", regular worth 40c; Alteration Sale, yard .. 29c

BLEACHED DAMASK—Full 60 in. wide, pretty patterns, new soft finish, a good article for 30c; Alteration Sale, yard 22c

GERMAN DAMASK—60 in. wide, we have only three pieces of this, it's our regular 65c stock but price don't figure here; Alteration Sale, yard 49c

NAPKINS — 75 dozen of 20-inch, half bleached, all-linen French Napkins, a regular $1 grade; Alteration Sale, dozen 70c

NAPKINS—15 dozen, close "em out," they're all linen, 18 in. size, pretty patterns, our regular $1.25 napkin; Alteration Sale 75c

CRASH at 3½c yard, 200 pieces, nice heavy, smoothly finished cotton Crash, 16 in. wide, reduced from 5c yard to 3½c

CRASH AT 6c—40 pieces pure linen Barnsley Crash, full bleached, 16 inches wide, regular price 10c; Rebuilding Sale 6c

CRASH 10c YARD—21 inches wide brown all-linen Stevens Crash, nothing better made, regular 15c grade; Rebuilding Sale 10c

TOWELS—100 dozen Fine Linen Huck Towels, warranted pure linen, 17 x34 in. hemmed, colored border, a good 25c towel; Rebuilding Sale 12½c

This Dry Goods Stock Must Go There's no stopping it now; 100,000 Dollars worth New Seasonable Goods will be SACRIFICED AT

SATINES—5000 yards colored dress satines, light or dark ground, with pretty floral designs, (French), regular 15c quality When Tearing Down Sale, yard 9c

SATINES—Something handsome, coal black, plain color, very fine texture, looks almost like satin, good for 25c yard; Tearing Down Sale, yd 15c

Hale's 107.109 N. SPRING ST

OUTING FLANNELS—Another line of those beautiful outings in stripes, checks, heavy and nappy, that you always pay 10c a yard for Tearing Down Sale, yard 6c

WHITE FLANNEL—All wool, three-quarters wide, very nice and firm quality, any other time you'd have to pay 25c a yard for Tearing Down Sale, yard 16c

NORRIS DEAD

And Murderer Parker Still at Large

MORE POSSES ORGANIZED

TO TAKE THE TRAIL OF FLEEING OUTLAWS

Feeling at Prescott Is Very Bitter and There Is Serious Talk of Lynching the Criminals

Associated Press Special Wire.

PHOENIX, May 10.— Two posses, one headed by Sheriff Orme, left Phoenix early this morning for the Bradshaw mountains, to intercept the criminals who escaped from the Prescott jail, shooting two officers in their flight. It is believed that the fugitives are heading for the Tonto basin, far out of the reach of the telegraph. The posses from here are proceeding on that supposition, and believe they will run down their quarry this afternoon. Word has reached here that a posse from Prescott overtook the escapes last night about thirty miles south of Prescott. Shots were exchanged. Miller, the forger, who was riding behind the Mexican, Cornelia, fell from the horse, wounded. The horse was killed immediately after by a shot from one of the posse. The Mexican took to the pines, while Parker, the train-robber, assisted his wounded comrade up behind.

Lee Norris, the young Assistant District Attorney, who was shot by the prisoners, died this morning. The jailer will probably recover.

THE MEN SEPARATE

PRESCOTT, May 10.—A telephone message just received from Chaparral from ex-Sheriff J. R. Lowry, one of the posse in pursuit of the outlaws, states that the posse struck the trail early this morning and the fugitives were headed toward Agua Fria valley, where there are several ranches, and from which they may secure fresh horses. The posse thought the Parker had deserted Miller and was alone, the Mexican apparently having left the other two yesterday morning afoot. The horse ridden by them had lost one shoe, and as he goes lame easily barefooted they had hopes of soon overtaking him unless a fresh horse were secured. Deputy Sheriffs from different parts of the country called at Prescott today and another posse was organized and started in pursuit on fresh horses just before noon.

Feeling here is very strong since the death of Norris was announced and cool headed, conservative men talk of lynching the outlaws if they are captured alive. This feeling is intensified on account of the passage by the last legislature of a law which virtually acquits all murderers where crime was committed prior to the passage of the law. Two prisoners are now in jail here who have been convicted, sentenced to death and afterward granted a new trial by the supreme court, and another whose trial has not yet taken place, and will be cleared through the operation of this law. The new law was enacted, defining murder and providing punishment, and all former laws repealed without the saving clause excepting cases then pending. From forty to fifty murders have been committed in this county during the last six or seven years without adequate punishment.

No word has been received from the posse in pursuit of the outlaws since noon, and the posse is now away beyond telephone and telegraph communication.

A Russian Crime

LONDON, May 10.—According to a dispatch to the Daily News from St. Petersburg, a terrible crime, the result of superstition, has been committed at Tirespol, in the government of Kherson, where there are a number of hermitages occupied by sectarians. Recently seventeen of the hermits disappeared and it was believed that they had emigrated in fear of the impending day of judgment. But a hermit named Kowalin has confessed that he walled them up alive in response to their earnest entreaties that they might receive the martyr's crown. The police examined the spot and verified the story.

Gold Democrats Organize

NEW YORK, May 10.—The National Gold Democrats met in the assembly districts throughout the city tonight and organized the assembly district committees, delegates to which were elected last week at the organization of the primaries. These committees tonight elected delegates to the county convention, each having as many delegates as it had election districts in the election district last fall.

Bankers Indicted

ST. PAUL, May 10.—Several more indictments were returned today by the grand jury in the sensational bank failures of the past winter. Several are pending against President Dawson and Cashier Dawson of the Bank of Minnesota and another against President W. F. Bickel of the Minnesota Savings bank.

A Fatal Fall

JACKSON, Cal., May 10.—Antone Capellina, a miner, was instantly killed today by falling down the shaft of the Kennedy mine, a distance of 500 feet. Deceased leaves a widow and two children in Italy.

Latest style of wall paper at A. A. Eckstrom's, 324 South Spring street.

Booked for Burglary

Pedro Moreno, a Mexican, was caught in a room at the corner of Commercial and Los Angeles streets about 3 o'clock this morning by the occupant who awoke to find Moreno prowling about in his stocking feet. He grabbed the intruder and held him until Officer Holleran arrived, to whom the prisoner was turned over. When searched at the station a gold watch was found in Moreno's pocket. He was booked for burglary.

Examination Was Not Held

Ed. McCamish who is charged with having decoyed Constable Pyle to a lonely spot in the northern part of the county and there murdered him, was taken up to Newhall for a preliminary hearing yesterday, but was returned without the examination being held.

Mechanic's tools, Furrey's, 159 North Spring street.

Railroad Men

Everywhere testify to the fact that kidney and bladder troubles have at last met with a conqueror in

McBurney's Kidney and Bladder Cure

O. C. McGuire, 125 S. Walnut street, East Los Angeles, writes: I am a railroad man on the Santa Fe. Two years I suffered with kidney and bladder troubles took your medicine for five days and was entirely cured.

One Bottle Cures

Visiting railroad men can secure sample bottles of McBurney's Kidney and Bladder Cure FREE OF CHARGE by calling at our store.

Sample Bottles Free

418 South Spring St LOS ANGELES

Trade Mark. C. N. Ad. Co.