

CURTISS DENIES WRIGHT CHARGE

DISCLAIMS USE OF RUDDER TO BALANCE BIPLANE

NOTED AVIATOR CONFIDENT HE WILL WIN SUIT

Declares Principle in His Machine and One on Which Alleged Infringement is Based Are Applied Differently

After conferring with Louis Paulhan yesterday afternoon Glenn H. Curtiss, inventor of the Curtiss biplane which has several world records to its credit, discussed at length the litigation against him and the Curtiss-Herring Manufacturing Company brought by the Wright brothers, inventors of the Wright biplane.

"The main point and practically the only contention brought against us by the Wright brothers for alleged infringement of their patents is the method of maintaining lateral balance."

"The main planes of the Wright machine are curved, and as they warp these to maintain equilibrium greater resistance is exerted on one side of the machine than is encountered on the other, resulting in a turning tendency of the machine. This turning tendency is overcome on their machines by use of the vertical rudder in the rear."

BALLINGER USES AX ON AGENTS

(Continued on Page Ten) connected with the Indian service for ten years.

ACCUSED OFFICIALS DENY ACCUSATIONS AND HINT AT PLOT

OKLAHOMA CITY, Okla., Jan. 9.—John D. Benedict and other accused Indian officials made a full denial of the charges of Secretary Ballinger when interviewed tonight. They hint that politics might be held responsible for the accusations and that Supervisor Oscar H. Lipps' methods were nothing less than "sneaky."

"I have had an idea that something of that kind would happen for some time," said Superintendent Benedict, when interviewed at his home in Muskogee. "It has been brought to my attention in some way than one that other fellows are after my job, so I telegraphed Washington last week that should there be any charges against my administration, I might have a chance to answer them. I received a reply that I would be given full opportunity to prepare and present my answer."

"I have no idea what is referred to by 'disgraceful conditions.' It is probable that Lipps came to Oklahoma expecting to find the schools in the same condition as government reservation schools."

Schools in Ruin "Government buildings used for schools under my direction are in ruin and many of our teachers have left us to teach in the state schools. I might as well not come to see me and ask about matters, but went to each one of the schools without meeting the supervisors. It is an easy matter for anyone to go to any school and, by quizzing the pupils about conditions and the treatment accorded them, render an unfavorable report."

"In regard to my connection with Indian affairs which renders it wrong for me to hold official position, I think there must be some mistake. The only position that I hold that could in any way have a bearing on the situation is that to which I was appointed by Governor Haskell on the state textbook board."

"I would consider this an advantage and calculated to help in my regular work. I wish to say, though, that I have never had any business dealings with the Indians, nor have I dealt in Indian lands."

LOSES SAVINGS AT FAN TAN; CHINESE ENDS LIFE

Asiatie Fisherman's System Fails to Beat Gambling Game, and Hangs Himself

OAKLAND, Jan. 9.—Leaving a note to a friend explaining he had lost several hundred dollars, the savings of years, in an effort to beat a fan tan game with a system of his own, Yet Chung, a Chinese fisherman, committed suicide today by hanging himself from the railing of the steps leading to his house. He stood on a toy wagon while attaching the rope to the rail, and kicked the vehicle away when the rope was made fast.

WOULD BUY TOBACCO CROP CINCINNATI, O., Jan. 9.—Thomas W. Lawson announced tonight that he has made an offer of 20c a pound for the entire crop of the Burley Tobacco Society. According to the statement of Lawson, the only point in the way of immediate closing of the deal is the threatened prosecution by the government of the Burley Society as a trust.

LOUISE HOMER ILL NEW YORK, Jan. 9.—Madam Louise Homer, the well known contralto, was taken ill today on the eve of her departure for Boston. She is suffering with a severe attack of grippe.

Owner and Pilot of Biplane That Made Flight Yesterday



Clifford B. Harmon, owner of biplane that Curtiss flew in yesterday, standing beside Curtiss, who is at the wheel

CORONER WILL HOLD INQUEST

MYSTERY SURROUNDS DEATH OF YOUNG BOY

ASSERTION MADE THAT BEATING WAS CAUSE

Undertaker's Employees Refuse to Allow Remains to Be Seen Until Coroner Gives Permission This Morning

Mystery is said to surround the death of Charles T. Miller, 9-year-old son of Mrs. S. A. Parker, who died yesterday afternoon at Hotel Berkeley, 908 South Main street, and late last night it was determined that an inquest would be held this morning at the undertaking establishment of W. H. Suteh, where the body was taken.

At the coroner's office it was reported that, although there may have been ill treatment of the child, "no investigation would be conducted until morning." No other information was volunteered or obtainable.

For several hours yesterday police reporters worked on the case, and at last learned the body of the child had been sent from the hotel to the Suteh undertaking rooms, but efforts to find the parents were unavailing. Various reports as to the cause of death are said to have been made to the coroner, and he would sign a certificate to a Humane Society agent, who notified the police and coroner that a young boy had been beaten to death.

Any attempt by newspaper men to view the remains at the undertaker's were met with curt refusal, the employees there stating that not until the coroner gave permission at the inquest in the morning could outsiders see the body.

Dr. E. J. Cook, the attending physician, stated the boy died from pneumonia, but that he would sign a certificate of death giving that disease as the cause.

Efforts to locate Mr. and Mrs. Parker last night were futile. They left the city shortly after the death of the boy, according to the statement of Proprietor James McNamara of the Berkeley, who also stated the boy resided with his grandmother at Watts until a week or two ago. Parker is proprietor of a cigar stand on South Broadway.

16 TO BE SHOT BY ORDER OF PRES. DIAZ' COURTS

Sentence of Death Is Passed on Ministers Accused of Being Implicated in Riots

[Special to The Herald.] JUAREZ, Jan. 9.—Jose Lugo and fifteen of his companions engaged in a riot at the town of Vesca. Many persons were killed and wounded, and Lugo, who was prominent as a leader of the miners, was seized by the government as the instigator of the trouble as well as the principal offender in what followed.

With Lugo were many who were known as his close associates, and in the lower court all sixteen were convicted and sentenced to death. They appealed to the higher court, but the first judgment was sustained, and the men have now no other respite from death but a pardon or commutation of sentence, which it is said will not be granted.

HOTELS AND SALOONS OF DENVER CLOSED SUNDAYS

Liquor Dealers Voluntarily Suspend Business on Sabbath Day to Offset Prohibition

DENVER, Jan. 9.—Denver was "dry" in the strictest sense of the word today by the voluntary action of hotel managers and saloonkeepers. The purchase of a sandwich or a meal did not serve as an excuse to secure liquor, and hotel guests in their rooms were forced to go thirsty or moisten arid throats with mountain water.

The complete drought, which the police have never been able to secure, marks one of the efforts of the saloon men to counteract the widespread movement to vote absolute prohibition for Denver at the next election. The hotelmen say the Sunday drought will be permanent.

VETERAN EDITOR DIES

FREMONT, Neb., Jan. 9.—James R. D. Kelly, editor of the Uehling Times, died here today, aged 73. He began his newspaper career in New York and was at one time Horace Greeley's office boy.

AVIATORS FACE CAMERA BATTERY

MANY PHOTOGRAPHERS GO TO DOMINGUEZ FIELD

Mrs. Glenn Curtiss and Famous Husband Forced to Go Through Trying Ordeal to Satisfy Picture Men

BY A PHOTOGRAPHER Although Glenn H. Curtiss, the famous American aviator, who established a new record for aeroplanes at the international aviation meet at Rheims, probably has appeared before larger crowds than that which greeted him yesterday, he had to undergo a more trying ordeal than that which he made the first flight of the Los Angeles aviation meet, it is doubtful if he ever in his entire career faced a more broken battery of cameras. From the huge instrument mounted like a machine gun to the tiny Brownie kodak, the picture machines hedged in the daring aviator in a solid phalanx, and not until he had afforded to all an opportunity to snapshot him was Curtiss permitted to start his machine.

Smiling with good-natured tolerance, however, the aviator sat patiently in the seat of his biplane, turning this way and that in response to the cries of first one "camera fiend" and then another. Curtiss first took his place in the aeroplane, and posed for photographs, in compliance with the requests of press photographers, but no sooner was the redoubtable navigator of the air seen in the seat of the biplane than the machine was surrounded by a small army of enthusiastic amateurs. Never for a moment, however, did the aviator appear weary of making himself a target for the photographic lens, but smilingly complied with each request to "look this way, please, Mr. Curtiss."

Mrs. Curtiss, the beautiful wife of the pioneer aviator, who has accompanied him on his visit to this city, also came in for her share of attention at the hands of the artists and, like her husband, went through what must have been at least a wearisome ordeal with smiling good nature. After posing for at least half a dozen photos, Mrs. Curtiss, in response to the requests of representatives of the press, took her place at the steering wheel of the biplane with which her husband has broken every record of aerial navigation, and with Mr. Curtiss by her side, once more faced the battery of picture machines.

Although neither Curtiss nor his wife made signs of impatience, it was noticed that the latter, at least, gave an audible sigh of relief when it was all over.

BOSTON SOON WILL END HOT CAMPAIGN

Election Tomorrow Marks Close of One of Most Interesting Fights in History of the Hub City

BOSTON, Jan. 9.—When Boston goes to the polls Tuesday, fans will be written to the most spectacular municipal campaign this city has known for years.

"The election marks a departure for Boston, as it is to be held under new charter, framed with a view of making municipal elections non-partisan. The candidates are named by petition and the tickets will bear no party designations."

One of the candidates, J. J. Storrow, who resigned from the presidency of the chamber of commerce to enter the campaign, is a man of wealth, the leader of the so-called "uplift" forces. Another, former Mayor John F. Fitzgerald, nicknamed "Little General," has been on the defensive practically all the time. He has pleaded for election to free himself of the stigma that attached itself to his administration through exposure of graft among subordinates in the city hall.

The present mayor, George A. Hibbard, has made a strong appeal for reelection on party lines, despite the evident intention of the new charter to eliminate party politics from municipal government.

Nathaniel B. Taylor, the fourth candidate, has been much quieter than any of the others.

An unusual feature of the campaign has been the charge that local traction interests have been supporting one of the candidates.

GARFIELD PRAISES DEPOSED FORESTER

CLEVELAND, Ohio, Jan. 9.—Gifford Garfield, dismissed chief forester, was lauded today in a public address by former Secretary of the Interior James R. Garfield as the most active exponent of the Roosevelt policies.

"Gifford Pinchot, who has just left the service of the government, is the one man who perhaps worked the hardest for the Roosevelt doctrine of conservation of our natural resources, and his principle of equal opportunities for all," said Mr. Garfield.

"His departure from the national service is one of the greatest losses the national government has sustained in recent years."

Mr. Garfield expressed the hope that Mr. Pinchot's activities as a friend of the conservation movement would continue.

THREE PERSONS KILLED IN COLLISION OF TRAINS

Pullman Porter Also Is Fatally Injured When Coaches Are Backed Into Switch Engine

SHREVEPORT, La., Jan. 9.—Three persons were killed and one fatally injured as a result of a collision about 11:30 o'clock tonight in the Texas & Pacific freight yards, between a Kansas City Southern switch engine and train No. 53, westbound, on the Texas & Pacific.

The dead are John Cornwell, conductor, Texas & Pacific train, of Marshall, Tex.; Percy Parrish, switchman, of Shreveport, and a Miss Evans, a passenger, of Boyce, La. John Brandon, a porter of the Pullman car, was fatally injured.

The passenger train was backing through the yards from the passenger station, when the switch engine, hurrying to get out of the way of another passenger train then due, crashed into the Pullman car attached to the rear of train No. 53, plowing its way for full half the length of the car.

INDIANAPOLIS "DRY"

INDIANAPOLIS, Jan. 9.—Sunday was "dry" in Indianapolis for the first time in years today. The city's new mayor, Samuel Lewis Shinn, gave the police department an order to enforce the liquor laws, and the keepers of the downtown bars did not open today. Seventeen saloonkeepers in the outlying neighborhoods tried to do business and were arrested. It is reported that in the restaurants and some of the hotel coffee drinks were served in coffee cups.

CONFERENCE DELAYED

MEXICO CITY, Jan. 9.—A conference between officials of the National railroads of Mexico and representatives of employees of that system, scheduled for today, was postponed until tomorrow. The men will bring up the question of the management's future policy respecting foreign employees. The Cook case also is slated for discussion.

ACCEPTS EDITORSHIP

RICHMOND, Va., Jan. 9.—Announcement was made tonight that Major J. C. Hemphill, for twenty years editor of the Charleston (S. C.) News and Courier, has accepted the editorship of the Times-Dispatch, his new duties here to begin about February 15.

FREE \$35 SUIT



My purchase last month from Woolen Mills desiring to realize before January 1, included fabrics from the very best mills of the world and at prices that are amazing when quality is considered.

Some of the lots were Hockanum Worsted and Cheviots, genuine Selkirk and Hawick Tweeds, West of England Thibets, Clays and FANCY SILK MIXTURES.

No tailor in the country buying woolsens in the regular way could afford to sell you this class of goods under \$28 to \$37.50.

If you can better these prices anywhere in the city, I'll make you a SUIT ABSOLUTELY FREE. The price on these goods during this sale.

SUIT OR OVERCOAT TO ORDER

If the Customer don't pay the High Street Reats, Who Does? STEWART THE SQUARE TAILOR 3rd FLOOR EXCHANGE BLDG 3rd & HILL

SUFFRAGETTE PERSUADES SUFFRAGETTE FIGHTS, IS MRS. O'CONNOR'S OPINION

Wife of Noted Irish Statesman Dies by Quotation Difference Between Women Advocates of Equal Suffrage

NEW YORK, Jan. 9.—Mrs. T. P. O'Connor, wife of the well-known Irish member of parliament, today defined by quotation the difference between a suffragist and a suffragette.

"Mrs. Pankhurst," quoted Mrs. O'Connor, "has made the differentiation that a suffragist is a persuader and a suffragette is a soldier. For myself, I believe in using persuasion first, and then becoming a soldier."

"In England we have tried persuasion. Well-meaning women worked for years with gentle methods and no attention was paid to them. This is a vulgar age, but it is better to be a vulgar and successful woman than an unsuccessful lady."

PRETTY GIRL WALKS ALONG STREET ASKING ALL TO END HER LIFE

Begs Passers-by to Kill Her, but Is Rescued in Time to Prevent Probable Case of Suicide

GUADALAJARA, Mex., Jan. 9.—World-weary and longing for the sweet embrace of death, pretty Miss Vasquez, 15 years old, spent most of yesterday on one of the broad roads near this city, asking every passerby to kill her.

Before the human death angel who would accommodate Miss Vasquez could be found, however, the matter was reported to her parents, and they succeeded in rescuing her before she had done herself any injury.

EXPECTED RELAXATION IN MONEY RATES MISSING

Flurry in Call Funds on First Day of Business Year Due to Re-adjustments

NEW YORK, Jan. 9.—The opening transactions for the new year in the stock market last week had not proceeded far when it became manifest that the resources of the money market had been miscalculated by speculative interests.

Their confidence in a prompt relaxation in the money market with the return of the year and in active reinvestment proved unfounded.

The unexpected flurry in call money on the first business day of the year was primarily due to adjustments of heavy shifting of loan obligations, last fall. The violence of the selling in Rock Island caused rumors of dissensions. The stock market showed itself sensitive throughout the week to the shifting reports from Washington on the contents of the president's message.

FORTUNE AWAITS HEIRS OF MISER IN ST. LOUIS

\$60,000 Found in Safety Box of Man Who Died Apparently Destitute

ST. LOUIS, Jan. 9.—A fortune of \$60,000 in gilt-edged securities awaits the heirs of Jeremiah Moynihan, an aged rag man, who died here Friday.

Apparently in destitute circumstances Moynihan was to have been buried in potter's field today, but the public administrator found in his possession a key to a safety deposit box containing bonds worth \$60,000.

Moynihan was 80 years old, lived alone, and as far as known had no relatives in this country.

BOY COUGHS NEEDLE UP JUST AS PLACED ON OPERATING TABLE

PITTSBURG, Pa., Jan. 9.—Surgeons at Kitzanburg, Pa., had placed Norman Barnett, the little son of George Barnett, on the operating table today to cut out his appendix.

Just as the knife was ready the lad was seized with a fit of coughing, which cured him.

He coughed up a needle which he believed to have caused his illness. He is rapidly recovering.

LENGTH OF LEOPARD'S TAIL PREVENTS WOMAN BEING SLAIN BY BEAST

Trainer Turns Head to Call Assistant, and Enraged Animal Leaped on Her—Recovery of Victim Doubtful

NEW YORK, Jan. 9.—The sharp teeth and claws of Clayton, a trained leopard, nearly cost the life of Mrs. Pauline Russell, his trainer, today, but the length of his tail saved her.

Clayton was ugly and would not perform. Mrs. Russell prodded him with an iron bar and called to her assistant for aid. As she turned her head to call for aid, the leopard leaped.

He bore his mistress to the ground and stood over her, growling and lashing his tail. The quick-witted assistant, rushing into the cage, grabbed Clayton's tail, took a double hitch around the bars of the cage with it and rescued Mrs. Russell in safety.

The woman was badly torn and at the hospital it was said her recovery was doubtful. The attack occurred in private training quarters.

NEW BUSINESS BOOSTS IRON AND STEEL TRADE

Contracts Let for 60,000 Tons of Rails and 2325 Cars and Loco. motives

NEW YORK, Jan. 9.—A fair volume of new business was developed in iron and steel products during the first week in January, interest being mainly centered in rails, structural and fabricated steel in the eastern district, and in billets, sheets and bars in the central west.

Contracts for rails were 60,000 tons, including orders for the Chesapeake and Ohio, the Burlington and the Grand Trunk. Orders have been placed for 2300 cars and twenty-five locomotives and contracts for 8000 cars are pending.

There is considerable activity and aggressive competition for fabricated steel orders for buildings, and bridges.

CIVIC ASSOCIATION OPENS MAIN OFFICE AT CAPITAL

Creation of National Park at Niagara and Regulation of Billboards Are Objects

WASHINGTON, Jan. 9.—General headquarters have been established here by the American Civic Association, and Richard B. Watrous, its secretary, who has been placed in charge, will urge on congress the enactment of desired legislation.

President Taft became a member of the association when he was secretary of war.

The creation of a national park at Niagara Falls, the regulation of billboards, and the abatement of the smoke nuisance are a part of the association's program.

The association has also undertaken a campaign for a "safe and sane Fourth."

ZELAYA TO BE DEALT WITH LIKE ORDINARY ALIEN UNDER TREATY

WASHINGTON, Jan. 9.—Former President Zelaya of Nicaragua, if his extradition from Mexico is requested, will be treated like any other foreign citizen in the latter republic, existing treaties between Mexico and Nicaragua, and the Mexican laws on the subject being taken into careful consideration.

Absolutely no change in the friendly feeling between Mexico and the United States has taken place, according to Senator de la Barra. The two countries are as one, he asserted, in their desire to bring about a resumption of peaceful conditions in Nicaragua.

The ambassador tomorrow will pay his respects to Secretary Knox and possibly arrange a date to confer on the future joint action of Mexico and the United States as regards Nicaragua.



Break the Price

On All Broken Lines

Staub's store is ridding out all surplus and odd lots of shoes. Values are 50%.



Don't Miss This Sale

If you are shoe needy you will welcome the opportunity this sale affords—Staub quality—shoes you know

These Should Interest You

—SPECIAL— Women's fur trimmed Romeos—regular \$2.50, \$3.50 kinds; no exchanges, refunds or deliveries, at... \$1 Several choice \$5 lines, a bit broken, but sizes in some... \$3.85 Here are \$6 Nettleton shoes for men; good picking in this special at... \$4.85 Choice here for women, men, girls and boys in \$4 and \$3.50... \$2.85 shoes for



Men's, Women's and Children's SHOES EXCLUSIVELY. Broadway, corner Third.



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