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MOST REGAIN OIL LANDS FROM S. P. ADMITS BALLINGER

Secretary of Interior Says Public Agitation Shows Need of Action by Congress

ANXIOUS FOR COURT FINDING

Finds Railway Co. Has Recently Grabbed 334,000 Acres of Land in Mineral Belt

WASHINGTON, Nov. 14.—Declaring the public agitation regarding the disposition of oil on the public domain in California emphasizes the necessity for congress providing a method for the exploitation of these resources which will protect the interests of the public, Secretary Ballinger tonight issued a statement on the situation.

"It must be borne in mind," the secretary explains, "that if the government does not obtain a decision in the courts reserving oil lands heretofore patented to the Southern Pacific Railroad company it would materially affect the policy which should be developed by congress. The railroad, if the owner of the oil sections will be enabled, with its checkbook holdings, to drain the oil from the reserved public lands while the government keeps them under reservation."

In September and October, 1910, approximately 334,000 acres of land were patented to the Southern Pacific in Kern, San Bernardino, Riverside, Diego and Imperial counties after having been examined and reported by land office agents to be non-mineral. All the lands are more than fifty miles away from oil withdrawals made by the president and the secretary of the interior and are out of the general course of oil discoveries in California.

On November 7 oil was struck in Kern county, and after investigation certain sections were recommended for withdrawals. None of these lands were included in the railroad patent, except about 480 acres, according to the secretary. An investigation is being conducted by the land office with a view to instituting proceedings for the vacation of this patent, should evidence be found that the lands were known to be mineral prior to its issuance.

PRESIDENTIAL PRIMARY BILL WINS IN OREGON

Voters to Express Preferences Before National Conventions

PORTLAND, Ore., Nov. 14.—Belated returns from nearly every county in the state indicate the adoption of the recent election of a constitutional amendment granting the voters of Oregon the unique privilege of expressing their preference for president and vice president in 1912 before the national conventions of the Republican and Democratic parties shall have been held. This is the only state in the Union where the electorate will in strict delegates to the national conventions as to the men to support for those positions.

Furthermore, Oregon voters will select their own presidential electors as well as vote for them, and also will select the delegates to the national conventions. The state treasury will pay the expenses of the delegations.

MOB IN TOWN OF MEXICO STONES AMERICAN CITIZENS

Rioters March Through Streets and Make Fiery Speeches

EL PASO, Texas, Nov. 14.—In a racial disturbance at Chihuahua, Mexico, Sunday afternoon, a party of Americans were mobbed. The mob first assembled at Hidalgo plaza, where incendiary speeches were made, and then marched up the streets shouting "Remember Antonio Rodriguez."

For a time the mob divided into three sections and marched through several streets, finally assembling at the Alameda plaza. A party of prominent Americans, who were in the city, who rode by, were stoned and insulted. The street cars were stopped and for a time the mob had possession of the city, but finally dispersed.

SACRAMENTO POLICE TO FIGHT SOUTHERN PACIFIC

SACRAMENTO, Nov. 14.—The entire police force of the city will be held in readiness tomorrow to back the superintendent of streets in enforcing the order to clear away the obstructions piled by the Southern Pacific railroad in the path of the track laying operations of the Northern Pacific, on the ground that the city streets have been obstructed, according to the instructions issued at a meeting tonight of the city trustees.

When a crew of Hindu track layers for the electric road attempted to continue their efforts yesterday afternoon, a tug of war followed with the steel rails and big ties as the bone of contention. The Southern Pacific forces won a temporary victory, but it was necessary for Resident Engineer Harrington to produce a fire hose and from the window of an engine cab turn a torrent, first of cold and then of hot water, on the band of electric workmen.

URUGUAYAN REVOLT ENDS

MONTEVIDEO, Nov. 14.—Rebellion came to an end today with the unconditional surrender of the rebels, who gave up their arms and trust to the magnanimity of the government in the matter of punishment.

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KENTUCKY FEUDIST IS RIDDLED WITH BULLETS

Young Desperado Finally Rounded Up in the Mountains

LEXINGTON, Ky., Nov. 14.—"Bad Jake" Noble, who shot and killed Jallier Wesley Turner, of Breathitt county, in Jackson, last Tuesday, was himself shot to death by a sheriff's posse in Knott county late today.

Only meager details have been received, but it is said that when the posse called upon Noble to surrender, he resisted and was riddled with bullets by members of the posse.

Rewards aggregating \$700 had been offered by the authorities of Breathitt county for the capture of Noble, dead or alive.

Noble, who was but 22 years old, had previously killed three men. After killing Turner he escaped into the mountains. Noble was first heard from in the "Lost Creek" section of Breathitt county, where for two days he is understood to have been under the protection of armed henchmen.

MAN BIRD FLIES 5 MILES FROM SHIP; AMAZES NAVY MEN

Ely Shows That Biplane Is a Factor That Must Be Reckoned with in War

NEW MARK SET FOR HISTORY

Aviator's Trip from Cruiser Birmingham Across Chesapeake Bay First of Kind

(Associated Press)
PORT MONROE, Va., Nov. 14.—Aerial navigation showed today that it is a factor which must be dealt with in the naval tactics of the future, if the successful flight made by Eugene B. Ely in a Curtiss biplane from the cruiser Birmingham can be taken as a criterion.

From Hampton Roads, the scene forty-five years ago of another epoch-making event in the history of warfare, when an ironclad proved its superiority over the former type of fighting vessel, the aviator today flew across the lower end of Chesapeake bay, landing on the shore opposite this fort.

In weather conditions unfavorable for flying, Ely shortly after 3 o'clock glided from the platform erected on the front of the cruiser, swooped down until he touched the water, then rose rapidly and was off in the direction of the Atlantic. Four minutes later he was lost on the eastern horizon, and an instant later had landed safely on Willoughby spit.

The impact with which the machine struck the water after its 37-foot drop from the cruiser split a small piece from a propeller blade.

PEED NOT LESSENED

But the speed of the ship was not lessened, and it darted away with express train rapidity on its flight.

Intermittent rain throughout the day, several hail showers and a continuous fog almost compelled the aviator to postpone his attempt. But he was determined to prove, as he said after the flight that he could accomplish more than had been expected.

Furthermore, he did not wait for the Birmingham to get in motion, which would have added to his momentum, and thus have aided him, but seizing an opportune moment between showers he was off before those on the ship with him and on the other vessels stationed nearby to follow, assist him in case of need, were aware that he was ready.

Ely today said it would be an easy matter for an aeroplane to alight on a vessel, whether moving or standing still.

Naval experts who witnessed the flight expressed their belief that the advent of the future must take the aeroplane into consideration.

MAY BE USED FOR SCOUTING

Capt. Washington I. Chambers, who had been detailed by the navy department as chairman of a board for aeronautical investigation, declared the flight was more than he had anticipated, and is confident the time is near when all scout cruisers will be equipped with aeroplanes. They would not be used for fighting use, he explained, but for scout duty.

The machine in which Ely flew was the one that Glenn Curtis used on his Albany-to-New York flight. It is seen two previous cross-water flights, one over Lake Erie from Euclid Beach to Cedar Point and back, a distance of seventy miles; the other by Curtis himself over the Atlantic ocean, off Atlantic City, when it covered fifty miles.

The distance which Ely flew today was nearly five times greater than those of flight. If weather conditions are favorable tomorrow he will attempt a flight over the city. It is understood Ely by his flight today won a \$5000 prize, offered by John Barry Ryan for the first flight of a mile or more from any ship to land.

PREDICTS THAT AIRSHIPS WILL HAVE FIVE ENGINES

KANSAS CITY, Mo., Nov. 14.—Ralph Johnstone, of this city, who recently took the attitude of the future aeroplanes, stopped here for a visit yesterday, and predicted a great future for the heavier-than-air machines. He is on his way to Denver, where he will live in a sumptuous style, will henceforth be modified in conformity with the attitude of her husband. She will retain the rank of princess, but relinquish official and state honors and give up her residence at the royal palace as well as the income of \$15,000 a year, which, under the Congo annexation law, comes at her marriage.

Among the gifts for the bride one of the most beautiful was that of the Dames de France, a dressing table embellished with the Bonapartist eagle and the Flemish lion.

AVIATORS ARRIVING FOR DENVER MEETING

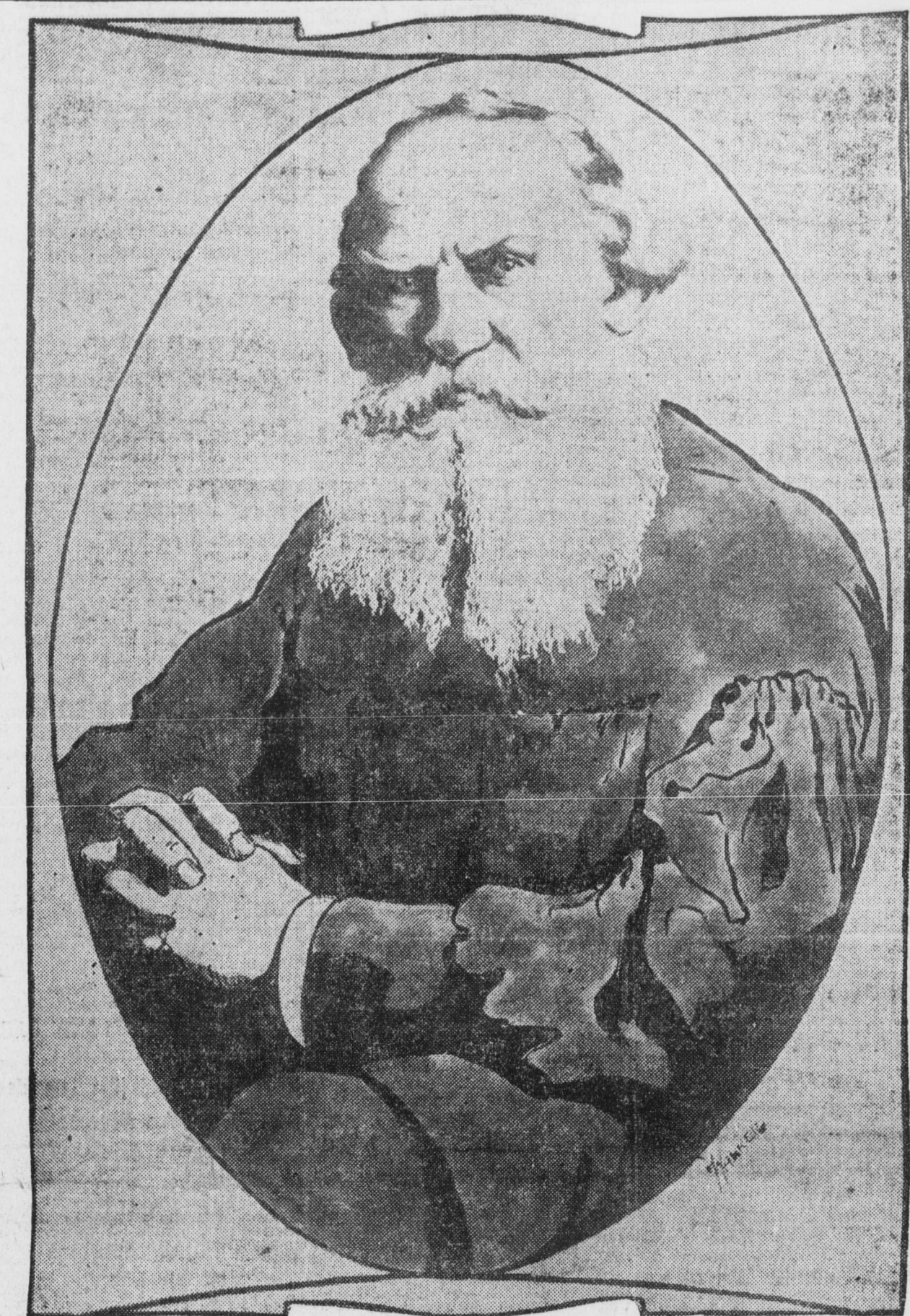
DENVER, Nov. 14.—Walter Brookline is first of the aviators who will take part in the meet of the Aero Club of Colorado, beginning Wednesday, to arrive in Denver. He came from Paris to Brussels yesterday by his biplane, which he housed at Overland park this afternoon. Ralph Johnstone is expected to arrive tonight and Archie Hoxsey will come later.

In addition to these three men, three amateurs, Edward Aund and Wayne Abbott of Denver and Samuel Pierce of Colorado Springs will make aerial efforts during the three days' meeting.

STORM STOPS AVIATOR

BRUSSELS, Nov. 14.—M. Leganeux, who made a flight with a passenger from Paris to Brussels yesterday in 3 hours and 16 minutes in competition for the \$30,000 prize for the fastest round trip through the air, abandoned the return flight to Paris today because of a storm.

Count Leo Tolstoi, Philanthropist, Who Is Seriously Ill with Fever, Which Halts Trip Into Voluntary Exile



VICTOR NAPOLEON WEDS CLEMENTINE

Pretender to French Throne and Belgian Princess Marry in Italy

TURN, Italy, Nov. 14.—The marriage of Prince Victor Napoleon Bonaparte, cousin of King Victor Emmanuel, and pretender to the throne of France, and Princess Clementine, daughter of the late King Leopold of Belgium, which has been looked forward to with much interest, was celebrated today at Moncalieri, a village picturesquely situated a few miles from here.

The ceremony took place in the royal castle of the fifteenth century, to which Princess Clotilde, sister of King Humbert and mother of Prince Victor Napoleon, retired after the overthrow of the empire.

Public rejoicing marked the occasion. The streets were profusely decorated, bands played in the squares, and flags waved from the castle, from the municipal buildings, and from many private houses.

The members of the Savoy and Bonaparte families were present. The witnesses for Princess Clementine were Prince de Ligne d'Arberg, representing the King of Belgium, and Archduke Fritz of Austria. A letter from the pope imparting the apostolic benediction to her and her husband. The latter received messages of loyalty from the Bonapartist committees in France and Corsica.

The papers recite how the late King Leopold steadfastly refused to permit the marriage of his favorite daughter to the pretender to the throne of a friendly power. Since the accession of King Albert it was known that the royal objections had been removed. This was due largely to the tactful attitude of the prince himself, who always refrained from attending official fetes and ceremonies and from in any way embarrassing the relations between Belgium and France.

The situation of Princess Clementine in Belgium, where she will live in sumptuous style, will henceforth be modified in conformity with the attitude of her husband. She will retain the rank of princess, but relinquish official and state honors and give up her residence at the royal palace as well as the income of \$15,000 a year, which, under the Congo annexation law, comes at her marriage.

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LAUNDERS GREENBACK; BANK TURNS IT DOWN

WASHINGTON, D. C., Nov. 14.—A mistake that may become common if the government finally decides to launch dry paper money came to attention of the treasury officials today.

A woman in New York received an extremely dirty silver certificate. She promptly washed and ironed the bill. It came out of the process bright and clean and she took it to the bank. It looked so strange that the bank teller pronounced the note counterfeit and sent it to Washington for inspection.

"The only thing the matter with that," smiled Chief Wilkie, "is that it's clean."

ARMED MEXICANS MARCH TO BORDER

TEXAS GOVERNOR CALLS RANGERS TO RESIST INVADERS—MAY ORDER OUT MILITIA

AUSTIN, Texas, Nov. 14.—Governor Campbell tonight received a long distance call from the sheriff of Edwards county, saying he had received a telegram from Del Rio to the effect that armed Mexicans were marching to Rock Springs because of the recent lynching.

Governor Campbell ordered the sheriff to have all the sheriffs and deputies from surrounding counties report to him at once. The governor also is getting into communication with the state rangers.

If need be, the governor will order out the state militia.

POSSES FAIL TO CAPTURE SLAYER OF POLICE CHIEF

ANADARKO, Okla., Nov. 14.—Posses today continued in vain the search for Oscar Opel, the Mexican slayer of Chief of Police Temple. Though the posses have diminished in size, about 200 men are still scouring the country burning away brush that could be used for hiding places.

It is rumored that Opel took dinner at a farm house near Anadarko. The farmer described a man who resembled Opel, but many believe the Mexican has escaped into Comanche county and is near Lawton. It is believed all danger of lynching has passed.

MEXICAN REPRESENTATIVE QUESTIONS NATIONALITY

GUTHRIE, Okla., Nov. 14.—Senator N. M. Berzaluce of Monterey, Mex., who is here representing the Mexican government in the Kickapoo extradition case, said tonight that he had been in communication with the Mexican consul at Kansas City in regard to the Anadarko incident, but only on the question of Opel's nationality, and that he had been unable to obtain any definite information along that line.

"I do not believe the man was a Mexican," said Senator Berzaluce. "Whenever a man from Texas, New Mexico or California who happens to be of Mexican descent gets into trouble in this country the papers say he is Mexican, then the yellow papers in Mexico take it up and the trouble starts."

WANTS SOCIALIST EXPELLED

ST. PETERSBURG, Nov. 14.—Premier Stolypin informed the duma today that the Socialist leader, Chaidze, had been elected on false credentials and requested his expulsion. Chaidze had lived for years on his brother's passport to escape the consequences of an earlier political career.

AIR RACES AT ATLANTA

ATLANTA, Ga., Nov. 14.—A three day aviation meet for Atlanta has been arranged to begin December 15 at the Atlanta speedway grounds to continue through the 17th.

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EXPECT TO PROVE LYNCHED 'MEXICAN' WAS BORN IN U. S.

WASHINGTON, Nov. 14.—The fulfillment of President Taft's promise to President Diaz to bring about the punishment of the persons who burned the supposed Mexican, Antonio Rodriguez, at Rock Springs, Texas, and to protect Mexicans in this country, appears to depend on the good will of the governors of Texas and Oklahoma. Governor Campbell of Texas already has promised to make an investigation of the lynching and a telegram received at the state department last night from Governor Haskell, in answer to an urgent request from Secretary Knox to guard the safety of Mexicans in Oklahoma and especially to prevent any attempt to lynch the man, supposed to be a Mexican, who killed the chief of police at Anadarko, pledges the governor to comply with the request.

The state department has not been able to confirm the report that Rodriguez was not a Mexican, but a native born American, but is expected that investigations now in progress will clear up that point.

A telegram from United States Ambassador Wilson in the City of Mexico informs the state department that Sunday passed without any recurrence of the anti-American outbreaks.

SIX SINK WITH BOAT

NEWPORT NEWS, Va., Nov. 14.—Carrying with her to a watery grave Captain Soderberg and his crew of five men, the whaleback barge Barones, bound from Newport News for Providence, R. I., in tow of the whaleback steamer Bayport, sank off Fire Island, N. Y., last Thursday night, after being run down by an unidentified square-rigged ship.

TOLSTOI STRICKEN BY FEVER; FLIGHT TO EXILE HALTED

Hardships of Journey, Mental Strain and Rupture from Family Break Author

LIES ILL IN RAILROAD DEPOT

Daughter Who Overtakes Patriot Acts as Nurse—Was Bound to Join Followers

TULA, Russia, Nov. 14.—Broken down by the hardships of a winter journey, mental strain and rupture with his family, Count Leo Tolstoi tonight lies with a high fever in the little railroad station at Astapova, eighty miles from his home.

Tolstoi was attended by Dr. Makovetsky, his sole companion when he left his home a few days ago, and carried with him medicaments for such an emergency.

Tolstoi's daughter Alexandra is acting as his nurse. His temperature is 101, indicating, probably, a serious congestion and of itself an alarming symptom in one of Tolstoi's age.

Even if the recovery there can be no possibility of his continuing the journey to the Caucasus, where he hoped to end his life among the Tolstoin colony on the shores of the Black sea.

He drove in a carriage last evening from Sharmardino to Kozelsk, accompanied by his daughter Alexandra and Dr. Makovetsky, in order to cover his movements, and announced he was going to Moscow, where he has a house. Later, however, the party changed cars and boarded a local train, proceeding in the direction of Caucasus.

Tolstoi, with his two companions, made his way to an unventilated third class compartment, crowded with peasants. The atmosphere was stifling, and he developed such a fever that Dr. Makovetsky thought it unwise to attempt to reach Dankov, the first town of any considerable size. They left the train at Astapova, a little flag station. There is no hospital there and only a few peasant huts.

STORY OF PILGRIMAGE

Little by little the story of the author's pilgrimage to date has become known. In company with his physician, Dr. Makovetsky, Tolstoi went from Tula to the ancient cloister of Sharmardino in the province of Kaluga, where he remained the guest of his sister, Marie. The latter for many years has been a nun at the cloister, which was founded 600 years ago. The nuns mingle with the world, devoting themselves to good works.

On the way to Sharmardino, Count Tolstoi stayed overnight at the monastery of Optina. Before entering he asked:

"I am the excommunicated, anathematized Tolstoi. Is there any objection to my staying here?"

The reply was:

"It is both a pleasure and a duty to offer you shelter."

Tolstoi spent the day in the discussion of religious subjects with an aged monk whom he had met on a visit to the monastery seven years ago.

The following morning the count resumed his pilgrimage. He is clad in a peasant's suit of rough material and wears high boots. He carries no passport and when he left home he took only \$17 with him. However, his daughter Alexandra, who had learned her father's intentions, contrived to secure \$150 in a pocket of Dr. Makovetsky's clothes and if the count suffers for the necessities of life it will be because he has since joined her father at Sharmardino.

MAY JOIN DOUKHOBORS

LONDON, Nov. 14.—A news agency dispatch from St. Petersburg says it is reported that after a brief stay in a monastery, Tolstoi will proceed to Canada to join the Doukhobors, followers of his teachings.

LOST BILLS EXTRACTED FROM HEIFER'S STOMACH

Woman Drops Pocketbook and Animal Eats up \$118

SPARTANBURG, S. C., Nov. 14.—While milking her cows today, Mrs. Luther Calver, who lives at Clinton, dropped a pocketbook containing five twenty-dollar bills, a ten, a five and three ones, and a silver quarter.

The money was missed an hour later and thorough search revealed the quarter which showed signs of having been chewed on.

A young heifer in the yard had a guilty look and a veterinary surgeon was summoned. The roll was extricated from the stomach of the heifer in a badly mutilated condition. The bills were sent to Washington to be redeemed.

COUNTRY POSTOFFICE REPORTED DYNAMITED

PORTLAND, Ore., Nov. 15.—A special to the Oregonian from Kelso, Wash., states that it is reported there that the postoffice at Skamokawa, Wash., was destroyed by fire last night immediately following an explosion of dynamite and that the postmaster was injured.

No particulars are obtainable this morning. According to the postal authorities in Portland the postmaster there is Llewellyn Kennedy.

ARTIST LA FARGE DEAD

PROVIDENCE, R. I., Nov. 14.—John La Farge, the artist, died here tonight. He was brought to the hospital about three months ago from Newport, following a general breakdown, and his death was not unexpected. His wife was at his bedside when death came.