

## CONFERENCE REPORT NOT UP BEFORE SENATE

ILLNESS OF SENATOR ELKINS CAUSED DELAY IN PROGRAM ON THE RAIL BILL; TEXT OF THE NEW LAW.

Washington, D. C., June 15.—The conference report on the railroad bill will probably not be called up in the senate today, owing to the absence of Senator Elkins, who is detained here by a severe cold.

The text of the report has been received from unofficial sources and published. This draft shows that both sides have made concession in order to make the measure acceptable.

On the whole, the bill, as far as it goes, will meet approval, and Senator Elkins, chairman of the senate conference committee, and Representative Mann, chairman of the house conference committee, can submit their report confident of its adoption.

The Commerce Court. The house had its way in having the court which to be created called a commerce court instead of a United States court of commerce, as desired by the senate. It will be a court of record and composed of five judges, to be named from among circuit judges for the period of five years.

In the first instance, however, the court will be composed of five additional circuit judges to be appointed immediately by the president. These judges will be designated by the president to serve for one, two, three, four and five years respectively. In addition to his salary as circuit judge a judge assigned to the commerce court will receive an annual allowance of \$1,500 to assist in paying his expenses, in Washington.

Jurisdiction of the Court. The court will have the jurisdiction now possessed by the circuits courts of the United States and the judges thereof over all cases of the following kind:

First—All cases for the enforcement otherwise than by adjudication and collection of a forfeiture or penalty or by infliction of criminal punishment, or any order of the interstate commerce commission other than for the payment of money.

Second—Cases brought to enjoin, set aside, annul, or suspend in whole or in part any order of the interstate commerce commission.

Third—Such cases as, by section 3 of the act to further regulate commerce, approved Feb. 13, 1909, are authorized to be maintained in a circuit court of the United States.

Fourth—All such mandamus proceedings as are authorized to be maintained in a circuit court of the United States.

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## CARS START SOUTH

Glidden Tourists Leave Kentucky Today for Tennessee; Cars are Penalized.

Louisville, Ky., June 15.—Bearing directly toward the south, the cars in the Glidden tour got away from Louisville this morning en route to Nashville, Tenn. The noon stop will be Bowling Green, Ky., and it is expected they will reach Nashville about 7 o'clock this evening.

The breaking of a right front wheel of a car was the most serious accident experienced by any of the contestants in the Glidden tour from Cincinnati to Louisville today. This accident occurred thirteen miles from Louisville when the driver, A. P. Martin, tried to avoid a buggy. The car was penalized 1,042 points. Seven of the cars contesting for the Glidden and Chicago trophies were penalized for minor accidents.

The 162 miles between Cincinnati and Louisville were covered in 9 hours and 42 minutes. The contestants started this morning at 7 o'clock for Nashville on a run of 193 miles.

MRS. FORD FOUND TO BE SANE.

Woman Involved in History of Defaulting Treasurer of Big Four Road Free of Charges.

Cincinnati, O., June 15.—Dismissal of the charges of lunacy against Mrs. Jeannette Stewart Ford, the woman involved in the history of Charles L. Warriner, defaulting local treasurer of the Big Four railway, has been entered in the probate court of Hamilton county. The action leaves Mrs. Ford free of all charges growing out of the Warriner case. She is under the care of an alienist selected by the county prosecutor.

Promotions of Faculty.

Iowa City, June 15.—(Special)—The state board of education at commencement announced the following promotion in the university faculty: Abram C. Thomas, instructor of geology; George M. Shearon, assistant professor of Latin; Richard E. Baker, assistant professor of mathematics.

## Gov. Gillette Puts Down Led on The Big Fight July 4

SAN FRANCISCO, June 15.—GOV. GILLETTE HAS DIRECTED ATTY. GEN. WEBB TO STOP THE JEFFRIES-JOHNSON FIGHT ON JULY 4. THIS ANNOUNCEMENT CAME AS A THUNDERBOLT AT 3 O'CLOCK THIS AFTERNOON. THE FIGHT PROMOTERS ARE NONPLUSSED AND HAVE NOT ANNOUNCED THEIR FUTURE ACTION.

## Baby Dies, Three Others are Saved from Escaping Gas

Des Moines, June 15.—(Special)—George Grimes, aged 1 year is dead, Stella Grimes, aged 3 years, is dangerously ill, Guy Grimes, aged 8, and Eleanor Grimes, aged 6, are sick as the result of escaping sewer gas at the home of C. C. Grimes, 1605 Capitol avenue. Grimes worked at night and on returning home found his little son dead and the other three sick. It had not returned sooner all of the children would have succumbed to the gas fumes.

## WOULD RETIRE JUSTICE MOODY

BILL INTRODUCED BY LODGE IN THE SENATE TODAY MAKES THIS POSSIBLE.

Washington, June 15.—Senator Lodge today introduced a bill permitting Associate Justice Moody to retire with full pay. Moody's health is given as the reason for proposed action. A bill to authorize the issuance of certificates of indebtedness to the amount of \$30,000,000 to complete reclamation projects was adopted by the senate as a rider upon the pending administration land withdrawal bill. Only Burton, Gallinger and Keen voted against it. The senate leaders today said the passage of the statehood bill by the senate at the present session will be taken up after action is had on the conference report on the postal savings bank bill.

## WRECK AT HUMESTON.

Burlington Freight Hits Open Switch; The Engineer and Fireman Jump.

Humeston, June 15.—(Special)—A westbound freight on the C., B. & Q. railroad, running at a high rate of speed, ran into an open switch at this place this morning, completely demolishing a box car, derailing the engine and blocking traffic for a period of two hours. The engineer and fireman were obliged to jump from the cab when the collision took place and it is thought that this is the only thing that saved their lives. A wrecking crew from Centerville cleared the track.

## BLIND PIG KEEPER HELD.

Mason City Man Bound Over to the Grand Jury for Operating at Lodge Picnic.

Mason City, June 15.—(Special)—Charles M. Hayden, charged with maintaining a blind pig during a lodge picnic Thursday night, is alleged when raided resulted in the capture of forty-five cases and twelve barrels of beer, was bound over to the grand jury.

## MUSCATINE CLOTHIER DEAD.

Samuel Cohn, Prominent Business Man, Expires; Known in State Politics.

Muscataine, N. Y., June 15.—(Special)—Samuel Cohn, one of the best known and oldest residents of this city, for many years the head of the Cohn clothing house, and formerly prominent in Democratic state politics, passed away at his home here last night.

## Alleged Burglar Arrested.

Dubuque, June 15.—(Special)—A series of mysterious burglaries in Independence was explained today by the arrest in Dubuque of Frank Mitchell through the efforts of Marshall Mason of Independence. Tabor's drug store, Gate's hardware store and a saloon were robbed during the first week in June. The finding of knives and other articles on the street led to the searching of the room occupied by a strange couple. They proved to be Frank Mitchell and Nellie Larinn. Mitchell was formerly a resident of Independence and recently completed a five years' sentence from Cedar Rapids for horse stealing. The officers secured several hundred dollars worth of loot. The woman is a resident of New Hampton.

## KNOX DEFENDS U.S. DIPLOMACY IN TALK TODAY

SECRETARY OF STATE SPEAKER AT UNIVERSITY OF PENNSYLVANIA COMMENCEMENT; PEACE PLANS FAVORED.

Philadelphia, June 15.—"If this government can help to upbuild its neighbors and promote the thought that the capital of the more advanced nations of the world would be better employed in assisting the peaceful development of those more backward, than in financing wars, it is such a deviation from traditions as the American people will approve."

Secretary Knox, speaking today at the commencement exercises of the University of Pennsylvania on "The Spirit and Purpose of American Diplomacy," voiced that sentiment principally as the key note of his review of American statecraft from its beginning.

Beginning with John Jay's treaty of 1794 with Great Britain for the peaceful settlement of boundary disputes, which he declared ushered in the modern era of arbitration, Secretary Knox declared that American diplomacy had been a diplomacy of real and definite direction and spirit, not based on expediency nor driven by the variable winds of opportunism, and one which had in its justice, candor, moderation and generosity reflected the becoming attributes of a great people.

The place which this nation has taken in the promotion of arbitration, Mr. Knox commended highly, paying generous reference to his predecessors for their part of the work and referring only modestly to his own work of promoting an international prize court with the functions of a court of Arbitration.

The United States, Mr. Knox declared, had taken the advanced ground that arbitration is a judicial more than a diplomatic procedure and the decision of such a court must conform to the principles of law and equity involved and controlling. The initiative of the United States in promoting such a court he said he believed would lead to the early establishment at The Hague of a permanent court of arbitration.

Beginning with Commodore Perry's visit to Japan and Caleb Cushing's treaty with China in 1844, Mr. Knox devoted much time to discussing the state department's course in the far east. He commended it warmly, referring to John Hay's open door policy in China as an achievement of which it was impossible to fail to refer when speaking of American diplomacy.

"The same just, friendly and generous American spirit conspicuously shown in our diplomatic and other efforts in the interest of particular nations at critical times or in respect to matters of great consequence affecting the welfare of other nations," said Mr. Knox.

The part which the United States took in the Boxer troubles and its subsequent action was taken, he declared, to safeguard the principle of the preservation of Chinese territorial and administrative entity and equality of commercial opportunity. Most of them are passing through an evolution similar to that of the United States, he said, and the influence of the diplomacy of the United States could be traced to the development and welding of the Pan-American family of nations. Castro and Zelaya, Mr. Knox referred to as tyrants.

## HANGS HIGH ABOVE WATER.

Steeple Jack on Wire Over Niagara Sailed by Firemen After Thrilling Experience.

Niagara Falls, N. Y., June 15.—During the first international exposition here yesterday an unidentified man leaped into the river before the eyes of thousands and was swept over the brink of Luna falls.

Oscar Williams, a steeple jack, tried a trip across the gorge on a wire, hanging by his teeth. His apparatus became jammed on the wire when he was about half way over and he hung forty-five minutes 125 feet above the river until firemen slid a rope and pulley out to him, by which he descended to "The Maid of the Mist" below.

## Traveling Man Suicides.

Lorimer, June 15.—(Special)—F. G. Wright, a traveling man from Des Moines, threw himself under a Rock Island train and was killed here today. No one knows the cause of the act.

## KING VERDICT AFFIRMED BY SUPREME BODY

HIGH TRIBUNAL OF THE STATE RULES THAT WELL KNOWN OLD SOLDIER IS NOT ENTITLED TO STREET COMMISSIONER JOB

The supreme court of Iowa has affirmed the decision of the Wapello county district in the case brought by James King against the city asking for reinstatement as street commissioner and back salary under the soldiers' preference law. The high tribunal held that the law does not protect an old soldier in an office after the term for which he was appointed had expired. Mr. King claimed to be entitled to the office after his removal and sought in the neighborhood of \$2,500 back salary and reinstatement. The district court ruled against him and now has been affirmed.

This action of the supreme court comes as a surprise, owing to its ruling on the case of George W. Kitterman against Wapello county relative to the janitorship of the court house. The grounds of both the King and Kitterman suits were practically identical, but City Solicitor Sparks in resisting the appeal introduced a new theory. Through an agreement with Attorney C. W. Whitmore, who represented Mr. Kitterman and Mr. King, the King appeal was not perfected until March, of this year, after the Kitterman decision, upholding the soldiers' preference law and reversing the lower court, had been received. In the supreme court Solicitor Sparks tried the King appeal on the theory that the tenure of office under which Mr. King took the post of street commissioner was fixed at the time he entered the service of the city, contending that this tenure of office controlled during King's entire term even though the new law made his term indefinite before it expired. "In other words," says Mr. Sparks, "Mr. King was employed for a fixed term, and while serving, the state legislature enacted the soldiers' preference law. I maintained that city employed Mr. King for a set period prior to the enactment of the preference law, and the supreme court upheld my view."

## Other Decisions.

The other decisions today follow: State vs. Everett Wiley, Van Buren county; dismissed. State vs. Frank O'Rourke, appellant, Hancock county; affirmed. State vs. John Casper, appellant, Harrison county; affirmed. State appellant vs. John W. Moters, Sioux county; modified. Lane Moore Lumber Co. vs. F. C. Bradford, Buena Vista county; affirmed.

## MURDER IS CHARGED

Lone Tree Livery Man Arrested When Man He Struck Dies of Injuries.

Iowa City, June 15.—(Special)—Oliver P. Driver of Lone Tree, who was struck over the head by his employer, Guy Baker, at the wagon and Baker barn in Lone Tree as the result of a quarrel over a lap robe, died at his home this morning. He was unconscious for several hours. Baker was released on bonds of \$3,000, but was re-arrested by the marshal of Lone Tree upon the charge of murder in the first degree. He will be brought to Iowa City for his commitment in the Iowa City jail. Both men are married.

## DES MOINES CARS COLLIDE

Many Shaken Up, But None Seriously Injured in Crash on Highland Park Line.

Des Moines, June 15.—(Special)—Two Highland Park cars collided near the Des Moines river bridge early today and a score of people were badly shaken up but none were seriously injured. There was a panic as the accident took place near the scene of a fatal wreck last fall. The brake on one of the cars failed to work. The accident took place on a straight stretch of track and the passengers on both cars could see the other approaching.

## IOWAN KILLED BY CARS

Card Bearing Instructions as to Notification of Relatives Found on Man Near Rock Island.

Davenport, June 15.—(Special)—The horribly mangled body of a man in whose pocket was found a card which read, "My name is H. J. Wanderschtz," was found near the Rock Island tracks at Milan a short distance out of Rock Island, Ill., this morning. On the card was also written that Nick Wanderschtz of Bellevue, Ia., be notified. It is believed that the man was a cigar maker. His body is being held at Rock Island awaiting the arrival of relatives.

## Fear Girl Has Met Same Fate as Ruth Wheeler



ESTHER MAUDE MEARSON, MISSING TYPIST, WHOSE PARENTS FEAR SHE IS A PRISONER OR MURDERED.

New York, June 15.—Has Esther Mearson, the 16-year-old girl who strangely disappeared last week while in search of employment as a stenographer, met the fate of poor Ruth Wheeler? The New York police fearing the worst, are working night and day on the case in the hope that they can unearth some clue which will lead to the answer to this question.

Esther is the daughter of Mr. and Mrs. Joseph Mearson of 107 East One Hundred and Twenty-third street. The case resembles in many of its features that of poor little Ruth Wheeler, who also sought employment as a stenographer in East Seventh street, where she was murdered and her body burned and put in a sack.

In fact, the parents of Esther Mearson had in mind the sad case of Ruth when their own daughter went in search of employment, cautioned her against going to private residences for work or answering postal requests for help as did Ruth Wheeler. Esther, an unusually attractive girl, well proportioned and large for her age, was also warned to be careful of her conduct while in the presence of strange men.

It was Lyon Mearson, brother of the missing girl, who first notified the police of her disappearance. Lyon, a graduate of the New York Law school, is employed in the office of a law firm. His father, a retired jeweler and dry goods salesman, there are seven children in the family.

Esther left school two years ago and became a pupil in the Hebrew Technical Institute, where she took a special course. Upon leaving the institute she took up the study of stenography at her home and before long became proficient in it. While it was not necessary for her to seek employment the girl did not wish to be idle.

Mrs. Mearson was the only member of the family to talk with Esther Monday morning when the girl was preparing to continue her quest of a position. The girl was more confident than ever she would find a place where there would be a chance of advancement. She told her mother that was the kind of a position she was trying for.

"I will be home as soon as I can, mother," said Esther, as she kissed her parent goodby. "I will be so glad if I find the place I am looking for, because I need something to occupy my mind."

It was not until late Monday evening that the Mearson family felt alarm over the absence of Esther.

Efforts to learn where Esther had been during the day were futile. The aid of friends was enlisted in the hunt and every place in Harlem where the girl might have gone was visited. No member of the Mearson family slept that night.

Detectives took several newspaper lists of help wanted advertisements with the intention of preventing, or at least in the office districts to see if they can get any trace of the girl when she was looking for work. It was said at the Mearson home that the mother is prostrated with grief and there is fear that her mind may become unbalanced.

## WEST POINTERS HEAR DICKINSON

SECRETARY OF WAR SAYS EDUCATION OF SOLDIERS IS IMPORTANT.

West Point, N. Y., June 15.—Our past wars were crudely waged compared with what war would be now, said Secretary of War Dickinson today in an address to the graduating class at the United States Military Academy. "Specialization and technique," the secretary declared, "are demands in military affairs as inexorably as in art, manufacture, commerce, transportation, education, medicine, law, and indeed in every department of human activity."

"We have come into the international limelight and have assumed the responsibilities of a first class power. If we should engage in hostilities with any nation of respectable strength the clash would be quick and stupendous. Our commanders, unless the war shall endure long enough to forge out of crude metal thunderbolts of war, must already have been trained in a way that surpasses all conceptions of military education entertained a quarter of a century back. From these conditions, we may expect, if we shall have wars, that men trained in the school of the soldier will be in the future, and perhaps even more than they have in the past, political both in our military and civil administration. What, therefore, should more profoundly engage our care than the education of those who more certainly than any other class of our citizens of equal number will affect our national life?"

Annual Alumni Banquet.

## CONFESSION TRUE WHITE TELLS COURT

LEGISLATOR WHO CONFESSED TO RECEIVING BRIBE FOR LORIMER VOTE IS GRILLED ON CROSS EXAMINATION.

Chicago, June 15.—Resuming the Browne bribery case today Attorney Forrest continued his cross examination of White. Questions were fired at the witness quickly and sharply, but he answered most of them promptly.

Suddenly Forrest asked, after White told of Browne's being in his room, "Didn't you invent the confession and isn't it a fact that Browne never came to your room at Springfield. The witness answered quietly; "My confession is true."

The expulsion of two spectators from the trial of Lee O'Neill Browne yesterday afternoon gave emphasis to State's Attorney Wayman's declaration that he will take no chances of undue influence reaching the jury.

The men removed were Ernest Krulwich, a west side politician, and Henry Wagner. The latter owes his embarrassment to having made audible expression to his belief in the guilt of the defendant. Mr. Wayman said he had not seen Krulwich doing anything wrong, but that during the trial of "Skinny" Madden, a labor leader, charged with extortion, Krulwich had brought suspicion upon himself by shaking hands with Madden in front of the jury. The subject of the ejection was, in addition, subpoenaed before the grand jury today.

During the cross examination of Representative Charles E. White, who alleges Browne paid him \$1,000 to vote for William Lorimer for United States senator, the defense began an attack on the character of White with the ultimate design, it is said, of charging that the present allegations grew out of an unsuccessful blackmailing scheme of White's. White's wishing to introduce some of White's letters written to Browne, W. S. Forrest, defendant's counsel, ran against a snag when the court ruled that before being accepted as evidence White must first identify them. Evasive replies visibly nettled the Browne legal battery, but finally two letters were identified.

90 Cents White's Wealth.

In one, written subsequent to the election of Senator Lorimer, White said: "I have only 90 cents in the world. If you will fill in the enclosed promissory note for whatever money you will loan me I will be glad."

The note—made out for \$50—also was placed in evidence and others aggregating \$100, were introduced. Some of the expressions used in letters which the defense attempted to introduce were:

"By the grace of God every cent you have let me have I will return."

"I have my ring in pawn for a few dollars."

"The future is sure to bring surprises. Do not be surprised at anything I may do in the future."

By the latter expression the defense will argue that White was attempting to blackmail Browne.

A letter written by White to Senator Lorimer was likewise read to the jury. In it White said he was about to place his experiences as a legislator before the public. He said he had been offered \$25 a word for it. Mr. Forrest asked him if he has submitted his story to certain magazines which he named. Witness admitted that he had not.

"Did you offer to the Chicago Tribune?"

"Yes, sir."

White produced his contract by which the Tribune agreed to pay him \$3,250 for his story of the alleged bribery.

The cross-examination will continue tomorrow.

Lorimer Money.

Near the end of White's direct testimony when he was enumerating small debts which he had paid out of the alleged bribe money, White said he had spent \$300 of the "Lorimer money" to visit his parents in Tennessee.

"Why do you call it 'Lorimer money'?" Judge McBurney interposed.

"Why, I mean the money I got to vote for Lorimer."

Mr. Forrest attempted to show that while living with his parents at Knoxville, Tenn., White had ordered a suit of clothes from A. L. Stecker, a tailor, and that the latter had sworn out a warrant for White. White did not remember whether his father had paid for the suit.

"Didn't you jump through a window to elude the officers," Mr. Forrest pursued.

"No."

"When you were last in Knoxville didn't an officer ask you if your name was White, and didn't you deny it?"

"No."

"And didn't you run from the officer then?"

White said there was a car approaching at the time, but whether he ran for it he could not recall. If he ran it was for the car and not from the officer.