

WHERE DO PEARY GET PRESENTS?

Frankie Insinuates That the Taft and Roosevelt Gifts Were His Property.

PEARY SAYS IT IS ALL A FAKE

Berlin, Germany, June 28.—The Cook-Peary controversy came into the limelight again today when the suit instituted by Rudolph Franke against Peary was opened. Franke, who was associated with Dr. Cook in the polar expedition, demands \$10,000 in satisfaction of prizes of the hunt which he alleges Peary required him to surrender in consideration of bringing him back to America. The defense sets up a general denial and also questions the jurisdiction of the court on the grounds that the defendant is an American citizen. Franke's lawyer asserted that Peary caused the plaintiff to turn over to him certain blue fox skins, furs and furs which he would take him from the Arctic, where, if deserted, he believed he would die. The attorney argued that the transaction is illegal because transacted under duress. He said a pair of narwhal tusks was later presented by Peary to Col. Roosevelt while some blue fox skins were given to president Taft and Mrs. Taft. Counsel for Peary denied the allegations from Franke from beginning to end and said they had the same foundation as did Cook's claim that he had been to the north pole.

LOUISIANA SENATOR McENERY IS DEAD

Was a Graduate of the Naval Academy and a Confederate Veteran.

New Orleans, La., June 28.—United States senator Samuel Douglas McEnery died at his home here this morning. Senator McEnery, who was in his 74th year, had been in bad health for several years. Samuel Douglas McEnery, Democrat, of New Orleans, was born at Monroe, La., May 25, 1837; was educated at Spring Hill college, near Mobile, Ala.; the United States naval academy, and the University of Virginia; graduated from State and National law school, Poughkeepsie, N. Y.; served in the Confederate army; in the war between the states, as lieutenant in Virginia, under Major, and in the Trans-Mississippi department; was a lawyer by profession; was nominated by the Democratic party and elected lieutenant governor, with L. A. White as governor, in 1876; on the death of governor White, October, 1881, succeeded him in the executive office; was nominated by the Democratic party for governor and elected in 1884; was a candidate for re-nomination in 1888 for the term of 12 years; was nominated by the Democratic party in 1892 for governor and defeated by the anti-lottery party; was nominated by Democratic caucus for senator at the session of the legislature in 1894, and elected to the senate for the term beginning March 4, 1897, to succeed the Hon. N. C. Blanchard, May 28, 1896. He was re-elected in 1902 and 1908. Governor Jared Sanders will succeed senator McEnery in the United States senate according to party leaders here. The legislature is in session and Sanders' election is being arranged.

ROOSEVELT IS BEING INTERVIEWED BY INSURGENTS

Oyster Bay, June 28.—Robert M. La Follette, United States senator from Wisconsin, and the father of the Republican insurgency, spent two hours yesterday afternoon talking politics with Theodore Roosevelt. He left Oyster Bay wearing a broad smile. Senator Elmer Burkett, of Nebraska, another out and out insurgent, is coming to Sagamore Hill after Col. Roosevelt returns from Boston. He, too, will talk politics. Representative Madison of Kansas, an irreconcilable insurgent and as a member of the Ballinger-Pinchot congressional investigating committee, ardent defender of Clifford Pinchot, will be at Sagamore Hill probably late this week. His theme will be politics.

ROOSEVELT GOES TO HARVARD COMMENCEMENT

New York, June 28.—Col. Roosevelt left here this morning for Boston, where he will attend the Harvard commencement exercises.

INSURGENTS DO NOT CONTROL NICARAGUA

San Juan Delmar, Nicaragua, June 28.—Great Corn island and the whole Atlantic coast of Nicaragua with the exception of the town of Bluefields is in the hands of the government. Acosgo has not been captured by the revolutionists as was reported yesterday. It is also untrue that Estrada's men have captured the port of San Ubaldo.

RELIGIOUS RIOTS CONTINUE IN SPAIN

Bilbao, Spain, June 28.—There were further disturbances today growing out of strained relations between the government and the Vatican. A crowd of Carlists and Nationalists surrounded the palace of the governor of Biscay province shouting "Down with the government." The police charged the crowd with drawn sabers, wounding a number of them.

NO PARADE ON JULY THE FOURTH

But Day Will Be So Full of Good Things There Would Hardly Be Room For It.

MUSIC, SPORTS AND FIREWORKS

PROGRAM FOR THE FOURTH OF JULY.
Concert, Cleveland square, 9 to 11 a. m., by Municipal band.
Patriotic exercises, Cleveland square, 10 a. m.
Basket picnic, Washington park, 12 noon.
Concert, Washington park, by Concha's band, 12 to 2 p. m.
Athletic sports, 2:30 till concluded, Washington park.
Baseball, 3 p. m. Washington park, with prize fight returns by wire, furnished by The Herald.
Concert by Fort Bliss band, 7:30 to 9:30 p. m., Washington park.
Fireworks display, 8:30 to 9:30 p. m., Washington park.
Concert by Municipal band, Cleveland square, 7:30 to 9:30 p. m.

This is what the Fourth of July committee offers the people of El Paso for the Fourth. The committee decided Monday afternoon that inasmuch as the local societies had not responded to the request to join the parade, this would be abandoned. At the request of the committee, Col. Sharpe and his officers and men at Fort Bliss, had consented to come downtown and parade, but as the soldiers would have been about all the parade, the committee did not feel like imposing on the troops to this extent. A vote was ordered, tendered to the officers and soldiers; also to manager H. J. Simmons, of the E. P. & S. W., who had consented to bring the troops downtown on a special train and return them to the post. Exercises downtown.

The celebration will begin with a band concert by the Municipal band at Cleveland square at 9 o'clock Monday morning, followed by patriotic exercises and music an hour later. Mayor W. P. Robinson will preside and county judge A. S. J. Eylar will deliver the oration. Robin Gould will read the declaration of independence, and these will continue all afternoon under the direction of H. L. Mitchell, of the Y. M. C. A. The races will include some swimming exhibitions in the natatorium by Y. M. C. A. boys.

The baseball game will be puffed off at 3 o'clock and in addition to the fun of the ball game, the fans will get the prize fight returns on The Herald's direct wire. Connection will be made with the Western Union through wire to Reno, over The Herald's private line between the park and The Herald office and an operator will read off the results as they transpire at the ring-side, while a microphone man will call them to the crowd.

At night, at 7:30 the Fort Bliss band will play a concert in the grand stand at the park and the fireworks display will begin by 8:30. For those who do not care to go to the fireworks, the Municipal band will play a concert downtown at 7:30 p. m. This will be in place of the usual Tuesday evening concert. It should be a big day for El Paso with something doing every minute.

(Continued on Page Seven.)

TEXAS BOARD CUTS INSURANCE RATE THROUGHOUT THE STATE

Austin, Tex., June 28.—The fire rating board at noon today granted the plea for a reduction in rates under the new general basis schedules of about 25 percent. The board directs the insurance companies on or before July 5 to publish and file with the board in accordance with the law to become effective upon the date of filing, such amendments to the general basis schedule as shall provide for a reduction of rates. The decision as amended gives the details of changes which will effect reductions of rates. The order as issued does not apply to the American Druggists' Fire Insurance company, of Cincinnati, to the Lumber Insurance company of New York, nor to the Adirondack Fire Insurance company, of New York, each of these companies having filed rates which differ from the rates of others, and these will be subject to further consideration by the board.

THE NEWS RECEIVED LOCALLY.
Senator C. B. Hudspeth and ex-mayor J. U. Sweeney Tuesday afternoon received the following telegram from Austin: State fire rating board has ordered the following reductions: "From 15 cents to 5 cents for each additional ground floor occupant. "Twenty-five percent on final specific mercantile rate. "Fifteen percent on special hazard rate. "R. M. Gilmore."

Save the Children On the Fourth



Tragic Memories

One year ago, on the Fourth of July, scores of boys lost their lives, through injuries incurred in the celebration of the day. The total loss of life, in the United States, was more than two hundred.

Lockjaw, from blank cartridges fired from the toy pistol, was responsible for the death of a large number of the boy victims of the day.

This pathetic drawing is made and published in the hope that it will save some bright young lives by bringing home to parents their responsibility. The most of this annual sacrifice of human life is as unnecessary as it is shocking.

—From Good Housekeeping Magazine.

Prizefight Returns at Ball Game By Wire on Fourth of July By THE HERALD

On July 4, The Herald will give the prize fight returns from the great world's championship battle at Reno, to the fans at the ball game at Washington park. The Herald has made arrangements to announce the results at the park over its own private wire, which runs direct from The Herald office into the grandstand at the ball park. The returns will also be announced at The Herald office. If the day is clear, The Herald calculates that there will be few people downtown; that all will be at the park for the ball game and the celebration of the Fourth, hence the decision to give the fight returns there. By giving the returns at the ball grounds, the fans will not have to miss the ball game in order to hear about the fight; they can enjoy both at the same time.

CLOUDBURST CARRIES DEATH

Houses Swept Away and Many Persons Drowned in Kentucky Mountains.

GOOD RAINS IN EL PASO VICINITY

Lexington, Ky., June 28.—Cloudbursts in the mountains of eastern Kentucky late yesterday did considerable damage. Many houses were washed away and it is reported that several lives were lost.

THREE INCH RAIN FALLS AT DALHART

Wheat Harvest Starts—The Yield Indications Promise Good.

Dalhart, Tex., June 28.—Heavy rains visited this territory last night, over three inches falling within two hours. There was no wind. The rain is a great benefit to growing crops.

LONG DROUGHT BROKEN AT ALPINE; FARMERS GET BUSY

Alpine, Tex., June 28.—Alpine and surrounding country was visited by a general rain, beginning Saturday afternoon and lasting until Monday afternoon. Reports also announce fine rains in the southern part of the county.

MATT SMITH HELD TO GRAND JURY AT ALAMO

Alamo, N. M., June 28.—Accused of train robbery, M. R. Smith was bound over for the United States grand jury. He is in jail in default of \$5000 bond.

WASHOUTS DELAY SANTA FE TRAINS AT ALBUQUERQUE

Albuquerque, N. M., June 28.—Trains from the south and west are from four to six hours late today due to washouts on the Santa Fe railroad last night and this morning. The rains are of great benefit to stockmen and ranchers.

DOWNPOUR FILLS WATER TANKS AT VALENTINE

Valentine, Tex., June 28.—Good rains have been falling since Saturday, all around Valentine, filling all water tanks. It is claimed by stockmen that nearly every ranch in this vicinity has had a good rain, greatly relieving the drought situation.

RAIN FOLLOWS WIND AT SAFFORD; LONG DROUGHT ENDS

Safford, Ariz., June 28.—A heavy wind storm followed by a slight shower cooled the atmosphere and broke the long drought. Another good shower fell during the night.

A BIG AREA AROUND PECOS COVERED BY RAIN

Pecos, Tex., June 28.—The present rain is falling on about 1000 square miles or about 25 miles square, with Pecos as the center.

GOOD RAIN AT DAYTON

Dayton, N. M., June 28.—A good rain has fallen here, the first in several months.

BOTH LEGS CUT OFF BY A PASSING TRAIN

Belton, Texas, June 28.—Lee Pittman, aged 10, died late last night as a result of injuries received when accidentally precipitated beneath a passing train because the embankment caved in as he was walking near the track in the vicinity of his home west of this city along the Santa Fe. Both legs were amputated and he sustained an injured chest and head.

ASSASSIN IS HANGED IN EGYPT

Cairo, Egypt, June 28.—Ibrahim Wardani, assassin of British Pasha Ghali, Egyptian premier and minister of foreign affairs, was hanged today. Wardani had been killed the premier February 29.

THE COLLEGE LAWYER

WICKERSHAM SEES ONLY RELIEF IN HIS COUNTRY'S SAVIOUR

Cambridge, Mass., June 28.—The college trained lawyer will solve the problems of government in the man who has mastered the principles and doctrines of law as a science through the selection, classification and analysis of adjudged cases involving their application. Attorney General speaking here today before the Harvard Law School association on "The Relation of Legal Education to Governmental Problems," predicted that the lawyer who obtains those qualifications, will be the man who can successfully cope with the great questions which will be presented for solution with the growth and expansion of this country. "It is only by the labors, the thought and the criticism of men who have found the living law, as it has been ac-

GENERAL FELIX DIAZ GOES WEST

Mysterious Visit of Nephew of the Mexican President to the Border.

MANY SECRET SERVICE ICE MEN WITH HIM

Brig. Gen. Felix Diaz, the John Wilkes of Mexico, took train Tuesday morning for San Francisco after spending two days in El Paso and Juarez. His visit is still unexplained, except that the City of Mexico police chief is on a vacation of two months. Apparently with the man who is mentioned as a vice presidential possibility, came a large number of strange Mexicans to Juarez and El Paso, so many in fact that residents of the Mexican city wondered at their business. One report has it that 43 secret service men preceded and followed the arrival of the chief inspector of police, and another that only 12 regular "sibows" accompanied him. At any rate today has found Juarez almost deserted by the well dressed Mexican strangers. The departure of Gen. Diaz on Tuesday morning's Southern Pacific train leaves the impression that he is making an inspection of frontier conditions, and it is understood that he will make at least one stop before reaching San Francisco.

Several Mexico City clubs are booming the young man for vice president of Mexico and some state that he was removed from the office of chief of police of the federal district because he supported governor Dehesa, of Veracruz, for the position against Corral and against the wishes of president Diaz, his uncle.

MAN ARRESTED AT ALAMOGORDO IN CONNECTION WITH SOUTHWESTERN HOLDUP, IS PLACED UNDER BOND

Alamogordo, N. M., June 28.—Accused of train robbery, M. R. Smith was bound over for the United States grand jury. He is in jail in default of \$5000 bond.

TAFT DISTRESSED AT SON'S AUTO ACCIDENT

Washington, D. C., June 28.—President Taft was greatly distressed when he learned of his son's unfortunate auto accident at Beverly Hills. He immediately sent a long message to his son, the text of which was not made public, but which is said to have contained instructions to do everything possible for the injured man. The following telegram was sent to an old college friend of the president, Samuel Carr:

FT. WORTH YOUNGSTERS GO FROG HUNTING; DROWN

Ft. Worth, Tex., June 25.—Jody Harmon, age 7, and George Batt, 5 years old, were drowned while catching bullfrogs in Trinity river near here yesterday afternoon. Their bodies were recovered this morning. The boys are sons of railroad men here. A search began late yesterday afternoon when the boys failed to return home. Their clothing was found on the bank near a pool above where Sycamore creek empties into Trinity. The search was continued all night. The body of one lad was found floating this morning. It was necessary to dive to recover the other.

GOOD HOUSEKEEPING MAGAZINE

This pathetic drawing is made and published in the hope that it will save some bright young lives by bringing home to parents their responsibility. The most of this annual sacrifice of human life is as unnecessary as it is shocking.

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(Continued on page 5.)