

# BEER CASE IS UP.

### Judge Pollock Investigating Kansas City Seizures.

### Agent for Receivers Arrested Delivery Agents.

### DID THEY MAKE SALES

### That Appears to Be Only Thing in Case.

### State Attorneys Admit They Can't Stop Deliveries.

"N. V. Reicheneker, seagoat," seems to be the probable verdict in the so-called Trickett injunction case which is being heard before Judge Pollock in the United States circuit court today.

Reicheneker was the agent of the three brewery receivers, and it seems that it was Reicheneker who gave the orders for the arrest of the drivers of Missouri beer wagons found doing business in Kansas City, Kansas. Reicheneker proceeded to take possession of the wagons, horses, beer and all in the name of the state supreme court.

It was this action on the part of Mr. Reicheneker that caused the Kansas City Brewery receivers to go before Judge Pollock some days ago and get a temporary restraining order to protect the beer wagons from the Kansas officers.

Hence there is not likely to be any serious results from what for a time seemed to be an embarrassing clash of authority between state and federal courts.

It was admitted both by the attorneys for the state and for the brewery that Mr. Reicheneker had no authority to interfere with the "common carriers" engaged in delivering beer to thirsty Kansans.

"I would like to inquire," said James H. Harrison, one of the attorneys for the Kansas City Brewery company, "whether the defense claims the right to interfere with interstate transactions, and if so, how?"

C. W. Trickett, law partner, said: "We do not question the right of the brewers to engage in legitimate interstate commerce. But we think they are doing an illegitimate business along with a legitimate. I want to say, however, that I think in view of matters set forth in this petition, the court could not do otherwise than grant the application for the temporary restraining order."

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The sixth talesman, Harmon Cox, a veteran of the civil war, pioneer of the gold rushes of the '60s and now retired from farming, his last occupation being engaged in nearly all of the morning session and involving Clarence Darrow, for the defense, and Senator Borah in a series of amusing quarrels. The talesman seemed slow of thought, and after the state had passed him for cause, the defense promptly started out to disqualify him. Senator Borah kept up a fire of objection and opposed the repeated challenges of the defense.

Mr. Darrow openly charged that the talesman was incompetent to try a man for his life, and asserted that the state itself could not want him on the jury. Borah and Borah stood up before the jury and fenced through the examination which ran all the shades of opinion and impression as to the mental facts so far developed in the case. By turns Mr. Darrow grew exasperated, and then calm and coaxing, and once the patient was halting and unclear about many of the incidents of the case but he always came back to the assertion that his mind was free from an opinion as to the guilt or innocence of the accused, that he was free from bias, or prejudice, that he could give the defendant a fair trial.

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During the course of his examination Joplin said that he was opposed to capital punishment.

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# JAIL AS A REMEDY

### Interstate Commerce Commis- sioner Clements Says

### Imprisonment of Prominent Railroad Men Is Needed.

### WOULD DO MORE GOOD

### Than Anything Else Toward Improving Conditions.

### Commissioner Lane Hints at Criminal Prosecution.

Chicago, May 27.—A dispatch to the Tribune from Washington says: The interstate commerce commission has entered upon a more radical policy in the treatment of corporations which persist in violating the law.

Commissioner Clements said yesterday: "One of the most wholesome things that could happen would be the putting in jail of some man of prominence in the railroad world. It would do more than anything else to bring about better conditions."

"It would not be necessary to put in jail all the men who ought to be there. Just let one or two hold high positions in the social and business world be put behind bars. This would act as a powerful deterrent for many would hesitate to jeopardize their positions and safety."

Questions of criminal prosecution by the commission have been delegated to Franklin K. Lane of California. When Mr. Lane was asked "Are you going to send somebody in the railroad world to jail?" he replied: "I hope that it will not be necessary. If the railroads comply with the law we will get on most harmoniously. But if the law is broken, then there will be trouble."

"Do you intend to have Edward H. Harriman prosecuted?" "That whole subject is under consideration by the commission. If Harriman has been guilty of any infraction of the act to regulate commerce he will, as a matter of course, be prosecuted—not at all because he is Harriman, but because he is an offender against the law."

**KILLED HIS COUSIN.**  
Kansas City, May 27.—"Put her right here!" said William Alma Frisbey, the eldest son of Special Deputy Marshal C. C. Frisbey, last evening, opening his coat and showing to the jury a bullet hole in his cousin Leslie Gifford, 16 years old, who was flourishing two revolvers, which he did not know were loaded. Leslie Gifford, Jr., had been uptown to his cousin's breast, pulled the trigger and exploded a shell. William staggered backward a few steps and fell, crying: "I'm shot! I'm shot! Send for a doctor!"

He lived about three minutes. The shooting occurred at C. C. Frisbey's residence, twenty-seventh street and the Big Blue, just after 6 o'clock. Leslie Gifford and his older brother, Harry Gifford, Jr., had been uptown to the afternoon and while there Leslie had traded a bicycle to his half-brother, Arthur Watkins, for the revolver with which he shot Will Frisbey.

Leslie and Gifford reached Frisbey's house just as Will Frisbey had gone upstairs to his room to change his clothes before attending to some business about the place. Leslie showed Will his new revolver and Will got out a revolver of his own and the boys compared them.

All three walked down stairs together, Leslie carrying one revolver in each hand. He began flourishing them around the spirit of the exchange, as Leslie dropped both revolvers when the one was discharged, and stood for a moment motionless and speechless. He ran to his cousin's side as the latter fell, put his arms around him and repeated over and over: "Billie! I didn't mean to do it! I didn't know it was loaded!"

Deputy Marshal Frisbey, father of the dead boy, said that the shooting was accidental.

"The boys were fooling with the guns and one of them got shot," he said last night. Then his voice broke. After a moment he added: "It was just boys' play. I don't blame anyone."

**RICH MEN INDICTED.**  
Six Millionaires of San Francisco Vic-  
tims of Grand Jury.

San Francisco, May 27.—The grand jury Saturday afternoon indicted six millionaires on charges of bribery and attempted bribery, and returned additional indictments against Ruef and Schmitz.

Frank G. Drum, Eugene De Sabin, John Marin, Abe Ruef and Moyer Schmitz were indicted on fourteen counts charging that they jointly bribed fourteen of the supervisors in the sum of \$250,000 to fix the rate for 1906 at 85 instead of 75 cents.

G. H. Umbreit, J. E. Green and W. L. Brobeck and Ruef were indicted on fourteen counts charging that they jointly attempted to bribe fourteen of the supervisors in the sum of \$1,000,000 to fix the rate for 1906 at 125 cents instead of 75 cents.

The grand jury adjourned until June 10, when investigation of alleged bribery by the officials of the Home Telephone company and by other persons will be resumed.

**Artist Paul Moran Dead.**