

SIX FIRES IN HALF AN HOUR

City Fire Department Kept on The Jump Early This Morning.

SEVEN HORSES MEET DEATH.

Barn of Bailey & Sons Alight Causes Losses to Adjacent Properties.

In Two Cases Incendiarism Is Assigned As the Cause—Men Run From Building.

Within half an hour, beginning at 2:40 o'clock this morning, the fire department was called on to fight six fires, the total loss from which goes into the thousands of dollars.

The fires were at:

Machine shop of C. P. Hutchinson, 62 south Second West street; loss to building, \$800; to contents, \$4,000; partly insured.

Blacksmith and carriage shop of A. Trappan, 43 west Fourth South street, loss to building \$600; to contents \$1,000. No insurance on contents.

Barn of Bailey & Sons, rear 531 south First West street; seven horses burned to death, total loss \$1,250; partly insured.

Residence of J. H. Bailey, Jr., 531 south First West street, damage \$50.

Residence Wm. Young, 533 south First West street, loss \$75.

Residence E. Barker, rear 525 south First West street, destroyed; building valued at \$225.

In the first two fires incendiarism is given as the cause, while in the latter four, all originating from the barn of Bailey & Sons, the cause is given as either incendiarism or careless smoking, as three men were seen to run from the building as the fire was discovered.

The first alarm was received at 2:40 from the machine shop of C. P. Hutchinson and a minute later the call from the blacksmith shop of A. Trappan.

HARD FIGHT.

Chief Glover, with the apparatus from stations No. 2 and 4 responded to the first alarm from the building in a blaze on their arrival. With the pro- perty of the Parker Lumber company yard, and the dangerous breeze, the fire was a hard fought one, and before it could be extinguished and confined within the building practically all the contents and the building itself had been destroyed by the flames.

The fire in the blacksmith shop originated in the rear of the building, and as there is no wiring or lighting there, the only origin given is incendiarism. The rear of the building, which is owned by the Walker estate, was completely gutted and the loss to the building placed at \$600. The contents, including carriages, etc., will reach \$1,000.

SEVEN HORSES BURN.

Neighbors discovering the fire in the Bailey & Sons barn, saw three unknown men from the building as the flames began to shoot out, and those men, whether tramps or incendiaries, are believed to have caused the conflagration that resulted in the burning of the seven horses and the threatening of two residences.

Starting from the barn, the flames there enveloped the building with such rapidity that there was no opportunity to save the live stock, and with the wind the sparks were carried as quickly to the residences nearby. The building in the rear of 533 south First West street, owned by Wm. Young, was tenanted by E. A. Barker who was completely destroyed by the flames, although the family succeeded in removing the greater part of the furniture and contents of the home to a place of safety.

The residences at 531 and 533 south First West street, forming a double house, and occupied by J. H. Bailey, Jr., and William Young were slightly damaged by the flames carried from the burning stable. Both houses were owned by J. H. Bailey, and the damage to the latter did not exceed \$50 and the latter \$25 to contents \$50.

MILWAUKEE STILL AFTER STREET RAILWAY.

Milwaukee, July 8.—A new move was made by City Atty. Hoan against the Milwaukee Electric Railway & Light company yesterday afternoon to collect alleged back license fees.

This time, under a new suit, the city sought to collect \$157,500 as license for operating 500 cars as of May 1, 1895, to May 1, 1900, and for operating 1,000 cars from May 1, 1900, to May 1, 1901, a license fee of \$15 per car each year.

Baroness De La Roche, Woman Aviator, Falls From Aeroplane, Fatally Injured

Bethany Plains, Rhodms, July 8.—Baroness de la Roche, the first French woman aviator, was fatally injured here this afternoon by falling from a height of 50 meters.

The Baroness de la Roche had flown around the field once at a height of 50 meters, when suddenly in front of the applauding tribunes she appeared to become frightened and confused at the approach of two other aeroplanes.

She started to descend but while still at a height of 50 meters she lost control of the machine.

The aeroplane turned over and fell like a log. The Baroness was killed and her skull was fractured. This was the second fatal accident at this meeting. Yesterday having been killed last the Baroness explained that the aeroplane passing above her head scared her and she cut the ignition.

INJURED TRAINMAN WRITES WILL ON FREIGHT CAR CARD.

Pittsburg, July 8.—A card from a freight car was filed in probate court today as the will of Robert J. McElroy, who after being fatally injured by a freight train, scribbled on the card: "Mary all that is mine is this." This leaves an estate of \$5,200 to his wife. After writing his wife McElroy signed the letter "R" but was unable to finish and another trainman completed the signature. McElroy died Jun 12.

DRUNKEN MAN FLOATS DOWN HUDSON RIVER

Sleeps for Two Hours on Water and Struck With Boat Hook Before He Became Conscious.

New York, July 8.—James Madden, a young man of Brooklyn, was floating down the North river shortly after midnight this morning, enjoying a cool refreshing sleep when the crew of the tug Interstate sighted him. Naturally thinking it to be a dead body they thrust a boathook into Madden's body and pulled him aboard. He was apparently unconscious at the time, but came to shortly before the tug reached the pier and began to abuse him for having spoiled his (Madden's) sleep. His language was so violent that he was arrested.

In the night court this morning Madden said he had been riding on a ferryboat and had fallen asleep. He could not remember how he came to be in the river. He said he had had just two drinks before boarding the ferryboat.

Magistrate Herriman fined the prisoner \$3 on the charge of intoxication. He said he did it to give Madden a chance to rest up.

Capt. Moorehead of the tug estimates that Madden must have been in the river nearly two hours. How he remained afloat so long is a mystery.

SECOND DAY OF THE CLOAKMAKERS' STRIKE

Employing Manufacturers Form Association to Arbitrate With Striking Employees.

New York, July 8.—New York enters today upon the second day of a garment workers' strike which has called out the workers more generally than even the union leaders had expected. The exact number of strikers is not yet definitely known, but it is estimated at 50,000. About 1,500 shops are affected.

Hope for a speedy settlement is given by the attitude of the employing manufacturers. After the strike was called yesterday afternoon, the employers formed an organization to be known as the Cloak, Suit and Skirt Manufacturers' association. It was stated that the organization was not formed to fight the strike and the manufacturers preferred an amicable settlement if it were possible. A statement given out on behalf of the association said:

"From first to last since the strike talk began no conferences were proposed to the manufacturers by the cloak makers or their leaders, and they were never officially notified of any demands. The association decided to call a meeting for 2 o'clock Friday afternoon, where a committee will be appointed to ask for arbitration to end the strike."

Cloakmakers continued to quit work up to 6 o'clock yesterday and many of the largest factories were left without a single employee.

SCHOOL GIRL DROWNS. COMPANION IS SAVED.

Camp Meeker, Cal., July 8.—Edith Johnson, a recent high school graduate of San Francisco, aged 16, was drowned in the Russian here yesterday after an heroic attempt to rescue her by Roy Slattery, a San Francisco boy, who had already rescued Elsie Sellinger after she had twice disappeared under the water.

The tragedy was enacted in full view of hundreds on the banks. Slattery was himself saved by Edith Johnson, advertising solicitor of San Francisco, who dived and encountered Slattery as he was rising to the surface from the clutch of the drowned girl he had tried to rescue.

WILL ASK FOR BIDS.

Valparaiso, Chile, July 7.—It is authoritatively announced that the Chilean government will ask for bids in the United States and Europe for the construction of a battleship of 22,000 tons.

The performances of Baroness de la Roche on the "Volcan" machine have been much talked of in Paris. This accident was not her first. On Jan. 4 last she was seriously injured at the Chalons aviation field. In circling the field she made a wide turn and crashed into a tree, being unable to elevate her machine quickly enough to dodge it. She fell from a height of 20 feet and was taken to the military hospital unconscious. Her right shoulder was dislocated and internal injuries were feared, but she recovered soon.

In February last, the French Aero club gave Baroness de la Roche an air pilot's license for her feat of flying four times around the aviation course at Heliopolis, a distance of 12 miles. The Baroness was one of the pioneers of aviation. She had also driven motorboats in races and automobiles at exhibitions and as soon as flying became practicable she learned to manage the planes. There are several other women aviators in Paris.

JUDGMENT IN CONTEMPT CASE

Judge Lewis Imposes Fines and Imprisonment for Herald-Republican Men.

MANAGER IS RESPONSIBLE.

Geo. E. Hale Sentenced to Thirty Days and Fined \$200—Going Into Supreme Court.

Herald-Republican Co., \$400 fine (\$200 on each count).

George E. Hale, general manager, \$200 fine and 30 days in the county jail.

A. J. Brown, managing editor, \$10 fine.

Paul Armstrong, acting city editor, \$10 fine.

Carl Williams, court reporter for Herald-Republican, \$10 fine.

Such was the judgment given by Judge T. D. Lewis this morning in the matter of the citation of the above named for contempt of court in publishing twice, while juries were being impaneled, the confession of Harry Thorne, murderer of George W. Fassell and the complete confession of Riley in the commission of the crime, but a stay of proceedings was granted until Friday, July 15, in order to give the defendants time to prepare affidavits in habeas corpus proceedings to be heard before the supreme court.

Judge Lewis stated that he had intended to give no punishment in the citation for the confession published the second time, namely, during the trial of Riley, for the purpose of bringing the paper's attention to the matter would suffice; but when the paper again republished the confession the day before juries were about to be examined on the Thorne case, he changed the matter a defiance, deliberate and wilful. This explains why Mr. Hale was given such a sentence. All testified that the confession was republished at his order as general manager.

Shortly after 10 o'clock the contempt proceedings began with H. E. Booth as the attorney for the defendants. Mr. Booth insisted that the paper had a constitutional right to publish confessions which were matters of common knowledge; denied that the publication of the confession biased the minds of any men otherwise qualified as jurors; denied any intention of interfering with the trial of the Thorne case; and said that Messrs. Brown, Williams and Armstrong had merely acted in accordance with the instructions of the management.

MR. BOOTH'S ARGUMENT.

Mr. Booth argued in the nature of a demand to proceed with the trial to punish for contempt in this case would establish a precedent which violated the well grounded right of freedom of speech. Our statute, he said, punished as contempt only the interference with the process or proceedings of the court; but the supreme court of California, after which state the Utah statute was taken, had defined the contempt as interference with the law and excluded cases of this kind.

"It is clear," said Mr. Booth, "that a paper has no right to give its opinions on the proper verdict to be rendered in cases on trial or to intimidate witnesses; but that it has a right to publish matters of common knowledge, and matters which one citizen may say to another on the street without being guilty of contempt, is well recognized."

The attorney for the defense then referred to Art. 1, Sec. 15 of the Constitution which placed freedom of speech and freedom of the press on an equal footing; and showed how by the mere publications of false confessions real murderers were at times so struck in conscience on account of the wrongful punishment of the innocent that they came back to the scene of the crime and confessed. He told how one Warren Cluff was sentenced to life imprisonment in Nebraska for the killing of his brother and how the divorced wife of the deceased brother, reading of the sentence, came herself and admitted the commission of the deed—a thing which would never have happened unless the newspapers had printed in a paper and from that printed alone was not a man, and certainly not one of sufficient brains to sit on a jury. As a matter of fact, however, such answers were given in both the Riley and the Thorne cases when juries were being examined. This fact the court at once pointed out to Mr. Booth.

"Aaron Burr was one time on trial for murder," Mr. Booth said, "and one of the jurymen being examined said he had come to help hang Aaron Burr. Aaron Burr asked the man if he was going to cast the deciding vote and he was governed by that opinion and said, 'Yes,' and Aaron Burr was convicted."

JUDGE LEWIS'S STATEMENT.

Without asking for any authorities from Mr. Leobrow, the district attorney, Judge Lewis then took matters in his own hands and explained that the confession of Thorne was published in the Herald-Republican on March 27 immediately after the murder of Fassell on the evening of March 26. He took that as a matter of course for such things occur every day and the cases of Riley and Thorne had not yet been called for trial. When Riley's case was called the jurymen were being examined, the confession of Thorne, which implicated Riley, was re-published and thereafter it was almost impossible to secure a jurymen who had not read the confession.

"The publication of the confession at the beginning of the Riley trial was in no sense new," said Judge Lewis, "as it had been published in all of the papers once before. The only effect it could have was to make it more difficult to secure a fair and impartial jury. It resulted in a motion for change of venue. I cited the paper into court in the hope that the citation for contempt would be sufficient warning; and I did not intend to punish for the same. When, however, at the close of the Riley case and at the very beginning of the Thorne trial the confession of Thorne was again re-published and the complete confession of Riley was published, the matter became an absolute defiance of my orders inferred from the citation. Then again the tone of the paper at the time of the third publication was one of defiance of the court."

"This is the first time," continued Judge Lewis, "in all the seven years that I have occupied the bench that a paper has violated its obligations to the courts. I considered the first publication of the confession a mere inadvertence; but the second and third were defiant publications in contempt of the court."

The court then said that all of the defendants were equally responsible; but upon Mr. Hale's signifying that he took full blame for the third publication on his own shoulders as manager of the paper, the second citation was changed so as to make him and the paper the sole defendants. Judgment was then pronounced. It being shown that it was at Mr. Hale's order that the confession was re-printed the third time and at the beginning of the trial of Thorne, Atty. Booth then asked for a stay of proceedings until he could prepare affidavits in habeas corpus proceedings before the supreme court. Judge Lewis granted the request, adding, however, that there were ample authorities in support of his judgment and that he did not believe the supreme court would grant a reversal.

TRAFFICKERS IN OPIUM CAUGHT

Confession of J. C. Hall in Texas Unearths Giant Plot for Smuggling Drug.

DOZEN PEOPLE ARRESTED.

Several Indicted by Federal Grand Jury—Band Thoroughly Organized for Work.

El Paso, Texas, July 8.—Through the confession of J. C. Hall, with many aliases and information obtained here by officials, the arrests of almost a dozen people, charged with opium smuggling, have been made in several parts of the country. The action, it is expected, will break up one of the biggest organized bands of opium traffickers the country has ever known.

The arrests made to date, either here or on information wired from here by federal officials that opium had been shipped from El Paso, include:

C. B. Stevenson, alias Elijah Moore, Los Angeles; Frank Welch, Los Angeles; R. S. Flynn, C. S. Young, and T. H. Hall, San Francisco; Ethel Jackson, El Paso; C. Chisholm, Atlanta, Ga.; and two Chinamen named Wong, at Atlantic City. All were caught either taking opium from an express office or sending it, and several have confessed. Pool has another indictment against him at Los Angeles, having been arrested there for smuggling opium while out on bond from El Paso.

Hall is the man who confessed first and confirmed the suspicions or evidence the officers had against the others. Welch then confessed.

Stevenson was head of the band, it is said, since the conviction and sentence of Olin, alias Snake, Pool to the penitentiary, from El Paso two months ago, confessed. Pool has another indictment against him at Los Angeles, having been arrested there for smuggling opium while out on bond from El Paso.

BIG FAT FEE WANTED BY YERKE'S ATTORNEY

Master-in-Chancery Declares Quarter Of Million Is Fair Price for Lawyer's Services.

Chicago, July 7.—Two hundred and fifty thousand dollars is the fee which is demanded and may be paid to Attorney Clarence A. Knight for services rendered in straightening out the estate of Charles T. Yerkes, the late traction magnate.

Master-in-Chancery Granville W. Browning, who was appointed as referee by Judge Cutting of the probate court, yesterday declared that the fee was just and not exorbitant. He not only gave it as his opinion that Knight was entitled to the full quarter million, but that he well deserved it for honesty and loyal work in recouping the dispiriting properties following the street car man's death in 1905.

Trustees and beneficiaries have been fighting through the courts for the various possessions left by Yerkes both in the United States and in England.

DEATHS AND NEAR DEATHS OF TODAY

Chicago Man Seeks Death Because Johnson Won Fight—Two Men Scalded in Wreck.

Sacramento, July 8.—Antonio Rochi of Chicago, who yesterday attempted to commit suicide by jumping into the Sacramento river here because of his sorrow at the defeat of J. J. Jeffries by Jack Johnson, made a second attempt to end his life by diving from his bunk in the county jail to the cement floor. He was scalded, but not fatally hurt.

SCALDED TO DEATH.

Cookeville, Tenn., July 8.—News reached here today that S. S. Knight and S. F. Lindsay, trainmen were scalded to death last night when Tennessee Central freight train ran into a boulder. The recently heavy rains had loosened a big rock.

Los Angeles, Cal., July 8.—"To whom it may concern: This is a plain suicide. I shall take either strychnine or chloroform, therefore an autopsy is not necessary. Bury me as I am. My curse shall follow the doctor who uses my body for any purpose whatsoever. Paul Mullenoux."

After penning the above the hired man of John Corso, Alhambra, evidently bent on making death certain as he took full blame for the third publication on his own shoulders as manager of the paper, the second citation was changed so as to make him and the paper the sole defendants. Judgment was then pronounced. It being shown that it was at Mr. Hale's order that the confession was re-printed the third time and at the beginning of the trial of Thorne, Atty. Booth then asked for a stay of proceedings until he could prepare affidavits in habeas corpus proceedings before the supreme court. Judge Lewis granted the request, adding, however, that there were ample authorities in support of his judgment and that he did not believe the supreme court would grant a reversal.

GERMAN COURT WANTS DR. COOK AS WITNESS.

Berlin, July 8.—The provincial court which is hearing the case of Rudolph Franke against Commander Peary to recover \$10,000, today ordered Franke to produce Dr. Frederick A. Cook as a witness. Franke, who was associated with Dr. Cook in north polar exploration, demands \$10,000 in return for a collection of furs, walrus and narwhal teeth, which he alleges Peary required him to surrender in consideration of taking him back home from Etah.

GEORGE COHAN'S WIFE IS AGAIN MARRIED.

New York, July 8.—A letter received from Paris yesterday announced the marriage of Ethel Levy, former wife of George M. Cohan, to Pierce Crepin, a well known professional whip of the French capital. They were married in a province outside of London last October and lived at the Hotel Carlton for several days before leaving for Paris. Crepin is 24 years old, tall and athletic. He is one of the most expert equestrians of the continent and holds many records for high jumping. It is Miss Levy's intention to return to New York in August and assist her husband in feats of horsemanship in this country.

MUCH INTEREST IN AGREEMENT

Official Circles Wrought up Over Proposed Russo-Japanese Convention for Agreement.

MAY SLAP AT UNCLE SAM.

It is Pointed Out That it May Mean Closing of the Open Door Policy.

Berlin, July 8.—The liveliest interest is felt in official circles regarding the Russo-Japanese agreement, the text of which has not yet been forwarded to the German government. The maintenance of the status quo which the agreement is ostensibly intended to secure, is considered most desirable. The most delicate point in the agreement refers, according to the semi-official Frankfurter Zeitung to the understanding to act mutually on the defensive against the intervention by any third power in Manchuria, which still belongs to China.

The agreement, therefore, cannot be directed against China.

It is pointed out that America, obtained from China concessions for the Algon-Chinow railroad and the question is now raised here whether the agreement is intended to oppose America's unwelcome intrusion in the Russo-Japanese sphere of influence. If so, the agreement is taken to mean the closing of the open door.

RAINS STOP FIRES.

Calumet, Mich., July 8.—Heavy rain here last night broke the prolonged drought and extinguished the forest fires in numerous parts of the district. The worst of these fires raged for five miles along the shores of Lake Superior west of the village of Ontonagon. All lumber mills were shut down yesterday to permit men to fight the flames.

MURDERER CHARLTON MAY ESCAPE PUNISHMENT.

New York, July 8.—A further adjournment today of the hearing of Porter Charlton in the court of Oyer and Terminer in Jersey City to Aug. 11, seems to forecast a nearly ending of the case. The papers demand Charlton's extradition to Italy to stand trial for killing his wife, Mrs. Mary Scott Castle Charlton at Lake Como have not been received and unless the state department of Washington sends some action within the next few weeks Charlton will be discharged from the custody of the Jersey City court.

Charlton is held on a 60-day warrant and the time will expire on Aug. 22.

Should Italy demand Charlton's extradition, the state department will refuse the demand unless Italy agrees in future to turn over to us all Italians who have committed crimes in this country and then fled to Italy. This, Italy, it is understood, will decline to do.

LAST RITES PERFORMED FOR JUSTICE FULLER.

Chicago, July 8.—The last rites over the body of Chief Justice Fuller were performed here today and interment was at Graceland, in a grave beside that of his wife. The funeral party, which arrived from the east following the casket to St. James Episcopal church under escort of a number of local delegations. All courts were closed. Federal and state judges, and representatives of the Bar association attended the funeral in a body. Flags were at half mast and at the hour of services 15 minute guns boomed a salute.

ARBuckle WILL BID.

Will Put in Price he Wants to Raise Battleship Maine.

New York, July 8.—John Arbuckle, who floated the U. S. S. Yankee after she had sunk off the New England coast a year or so ago, said last night that he would bid for the contract for the raising of the battleship Maine in Havana harbor.

"I have been recently in communication with the acting secretary of war," said Mr. Arbuckle, "and he informs me that bids are open for the contract for the raising of the Maine we shall be on hand. I have full faith that I can raise the Maine without cost to the government. I have several naval officers and they share my confidence."

"I have not told the war department what my plans are, or how much the work will cost, but I shall have a bid at the proper time. I do not know that anyone else has been in communication with the war department on this subject. No bids have been put in yet, as they have not been called for."

ENGINEER DANGEROUSLY ILL.

New York, July 8.—A cable dispatch from Carlsruhe, Germany, says that Octave Chanute, the distinguished engineer is seriously ill and is being conveyed to the American hospital in Paris for an operation. Chanute is at one time chief engineer of the Erie railroad.

President Ripley of Atchison Looks Forward to Large Year's Business.

New York, July 8.—President E. P. Ripley of the Atchison, Topeka & Santa Fe, does not hold the pessimistic views which have lately been expressed in railroad circles with regard to the outlook for the future, with special reference to the recent rate decisions by the interstate commerce commission. Mr. Ripley, who is here to attend a meeting today of the Atchison directors at which the quarterly stock dividend will be declared, said last night:

"The situation, so far as the roads are concerned, is very satisfactory. The crops in all the territory south of the north line in Nebraska are in good condition. I look forward to a large year's business. In the Atchison's territory general business is increasing. Our gross net earnings have increased month by month."

"Regarding net earnings it is more difficult to express an opinion for they are subject to a number of factors which cannot definitely be determined at this time. Just what the effect of the recent rate decision of the interstate commerce commission will be, I am unable to say. I get the feeling, just before leaving Chicago and I have not done any figuring on it."

"Speaking for the Atchison itself, should say that the effect will not be very disastrous, but I cannot speak authoritatively at this time. The effect of this decision itself is not so bad but how far the precedent will affect the situation in the future cannot be judged."

"Public sentiment in the southwest is not so set against the railroad as one would be led to believe from the attitude of the representatives of that section of the country."

CLOVER BLOSSOM ANNUAL RENTAL OF SCHOOL LAND.

Flint, Mich., July 8.—A clover blossom a year is the rental charged the Flint school board for a 99-year lease of the site of the Flint Union school. The owner of the land, Neil J. Berston, made the only provision against the use of the land for other purposes. The board accepted and decided to make a ceremonial feature of the payment. One of the board members each spring is to pluck a clover blossom from the joys and carry it to Mr. Berston or his heirs.

BELIEVE SYMPATHIZERS CAUSED BIG EXPLOSION

Dynamite Used at International Harvester Plant by Persons Favoring Union.

Chicago, July 8.—Sympathizers with union iron workers and sheet metal workers are believed by the police to be responsible for a dynamite explosion that wrecked several tons of steel window frames yesterday on the premises of the McCormack works of the International Harvester company at West Thirty-first and Rockwell streets.

Investigation of the scene of the explosion disclosed that someone placed four sticks of dynamite under the piles of steel. Three of them blew up and the fourth found several feet away with a burned out fuse.

So great was the force of the explosion that deep holes were torn in the earth and some of the steel was blown 200 feet.

Business agents of the Sheet Metal Workers appeared at the job two days ago and are said to have threatened the non-union men from Philadelphia. The loss by the explosion is about \$2,000.

CORPORATION TAX.

Washington, July 8.—Total payments on accounts of the corporation tax amount to \$2,841,679. The total assessments were \$2,000,000.

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