pairs.



WINNER OF THE ENGLISH DERBY.

LAW WAS UPHELD

By the Nerve of a Georgia Sheriff.

HE SAVED HIS PRISONER.

An Angry Mob Wanted to Lynch Him.

ONE MAN WAS SHOT DEAD.

The Intended Victim Was a Negro Murderer who Had Been Sentenced to Beath, but Saved Through the Efforts of His Lawyers.

Carrollton, Ga., June 8 .- The nerve of Joseph Merrill, a Georgia sheriff, yesterday upheld the law of the state and saved the life of a negro from a mob. In protecting the negro, who was saved from the gallows only a few hours before through the efforts of his lawyers, one life was lost and two men were wounded. The arrival of the state militia averted threatened trouble last night, and at o'clock a special train bearing the negro, whose crime was the murder of a little white boy, was speeding towards Atlanta under guard. man killed in attacking the jail was George Bennett, of Carrollton. The wounded men are Thomas Smith, and unknown man, presumably a far-

Williams, the negro who caused the trouble, was tried and found guilty of murdering Otis Word January 1 1901, and sentenced to be hanged yes-terday. He was only this morning refused a new trial by Judge Harris, but his attorneys filed a bill of ex-ceptions and carried the case to the supreme court. A large crowd of people had come to town to witness the hanging, and when it was learned that an appeal had been taken to the supreme court delaying the extition, there was much excited talk.

At noon a mcp made an assault on ne jail and ur successfully attempted to lynch the negro.

Athletic Contests at Buffalo.

Buffalo, N. Y., June 8.—The Erie county athletic contest—postponed from June 1st, were held in the Stadgrounds yesterday. The tracks and field were in good condition and the contests were spirited and interest-ing. Jerry Pierce, of the Carlisle Indian school, won the five-mile run in the good time of 26:39 1-5. brother Frank took third place. The latter also won the mile handicap from the 100-yard mark.

The contests in the other events

were all local men.

Two hundred and fifty cadets from Virginia Polytechnic association arrived yesterday.

Machinists' Convention.

Toronto, Ont., June 8.—At the meeting of the machinists' convention yesterday afternoon a resolution was passed pledging the association to form a part of a new metal trades association which will meet in St. Louis next month. Two delegates were appropriated to attend the con-The object of the new organization is to form a combination of all allied metal trades and make common cause in any trouble arising with the manufacturers.

Another Victory.

London, June 8 .- Another of Britain's great racing trophies has been captured by America, Foxhall P. Keene having won the Oaks with Cap and Bells II., ridden by Milton Henry. The owner, horse and jockey are all thoroughbred Americans, so the victory was not diluted, as it was in the case of the Derby.

Independence Not Allowed to Compete New York, June 8.—Thomas W. Lawton's yacht, the Independence, will not be allowed to compete in will not be allowed to compete in the trial races preliminary to the races for the America's cup. This decision was arrived at by the challenge committee of the New York Yacht club and was conveyed to Mr.

Lawson in a letter. A Well-Known Physician Dies.

Freeport, Ill., June 8.—Dr. W. S. Caldwell, a physician and surgeon known throughout this country and Europe, died yesterday afternoon paralysis.

TRADE REVIEW.

R. G. Dun & Co.'s Weekly Report of Business Conditions.

New York, June 8.—R. G. Dun & Co.'s Weekly Review of Trade says: The labor situation in many parts of the country is still seriously unsettled and constitutes a reason for hesitation in some industries, discouraging new operations which satisfactory conditions would otherwise stimulate. But quick decision is to be expected in some of these labor controversies and in the meantime trade is encourand in the meantime trade is eacour-aged by reports of a satisfactory con-dition of winter wheat over a large portion of the country. As for spring wheat the crop was put in un-der very favorable conditions, and there have been few unsatisfactory

Labor controversies have become the factor of greatest importance in the leading manufacturing industry. the leading manufacturing industry. Counting perhaps upon the urgency of orders and heavy losses which would be sustained by employers in case of suspension, the machinists made what were considered unreasonable demands by employers at many points who have taken a determined stand and announced that the strikers' places will be filled by non-union men on Monday if they fan to resume work. More quiet conditions in the market and few new contracts make this action possible. As a rule manufacturers have not sought business beyond July 1, and it looks business beyond July 1, and it looks as though they had been preparing for the conflict.

Pig iron is extremely dull, not a sale of Bessemer being reported dur-ing the week at Pittsburg, and quotations are nominal. Large contracts for rails sustain billets and finished steel deliveries continue heavy. Ship-ments of farm machinery attract much attention while bridge building, new vessels and track elevation pre-vent dulless in structural material. ent dullness in structural material.

Efforts to secure advances in grain by an exaggerated reports of damage to the growing crop have given place to more rational statements and the outlook is generally conceded to be full of promise.

full of promise.

Shipments of boots and shoes from Boston continue very large for the last week, exceeding the same week of 1900 by 20,000 cases, and since the year opened forwardings have been over two million cases, far surpassing any previous record. Although the movement is still heavy, shops receive few orders, and it will be some weeks before active work begins on weeks before active work begins on fall contracts. Retailers are offer-ing black goods for summer wear at reduced prices, and it is evident that the production of these shoes was excessive while tan shoes have been in much greater demand and manu-facturers are pushed to fill contracts Prices are steady and jobbers report that the better qualities are sought.

AGUINALDO.

Gen. Fred Grant Says He Should R. Set to Breaking Rocks.

New York, June 8.—Gen. Fred Grant was given a reception last night by the United States Grant Post G. A. R. In a brief address Gen. Grant

Aguinaldo was not as much of a capture in the Philippines as he seems to be here. To tell the truth, he had lost about all his influence. We do not treat him as if we considered him of some importance. We cannot kill him, of course, but we want to make him feel that he stands the same footing with any other lipino. If he were sent to jail and Filipino. set to breaking rocks it would be bet-tor for all. If over there they get set to breaking rocks it would be bet-tor for all. If over there they get the idea that we have a high respect for Aguinaldo's importance, when he gets back he will have a following which will make us trouble."

Gen. Grant said that the friars were much hated and very corrupt. The Philippine commission, he said, desired to treat the friars the same as any other persons, with no more consideration and with no less.

Carnegie Hands Over \$10,000,000.

London, June 8 .- Andrew Carnegie signed a deed yesterday transferring \$10,000,000 in five per cent. United States Steel Corporation bonds to trustees for the benefit of the universities of Scotland. The amount becomes immediately available. The next installment of interest can be next installment of interest can be used for the October term. The trustees include the earls of Elgin and Roseberry, Lord Balfour and trustees of Scottish universities.

The Army Canteen.

St. Paul, Minn., June 8.—By unani-mous vote, although with small at-tendance, the American Medical association yesterday adopted a reso-ution endorsing the movement for the re-establishment of the army post

WITH A BANQUET.

New York Chamber of Commerce Is Honored in London.

Morris T. Jessup Replies to Address
of Welcome — Great Britain and
the United States to Rule the
World — Stand Shoulder
to Shoulder.

London, June 6 .- The banquet tendered by the London chamber commerce to the delegates of New York chamber at Grocers hall last night was one of the handsomest affairs of the kind ever given in a city famed for lavish hospitality. fort was spared to honor the Amer ican guests.

Following is a synopsis of the re ply of Morris K. Jessup to the address of welcome:

dress of welcome:

"Mr. Chairman, my lords and gentlemen: It is said that kind words are the music of the world. For the gracious and kindly words with which you have made us welcome, and for the generous warmth of our reception manifested in every expend the tion manifested in every eye and felt in the clasp of every hand, it is my privilege to express the thanks of the

New York chamber of commerce, "It was a happy inspiration that dietated your kind invitation and, I assure you, that it was accepted in the same spirit, and if our coming to-gether at this time serves to bind in closer ties the relations between the two nations our hopes and expecta-tions will be fulfilled and we shall count it a high privilege to have been

Mr. Jessup then reviewed

Mr. Jessup then reviewed the founding of the New York chamber of commerce and said:
"We do not forget how you instilled into our minds habits of industry, thrift and fair dealing, so that now, in the dawn of the Twentieth century, we are able to state with some pride we are able to state with some pride that the business relations between the two countries amount to the sum of 960,000,000 yearly. We do not forget how in the past 130 years aided us to produce this result, by the inculcation, through your example of these principles of justice, religion and law, which we have imbibed from you as the foundation of all commercial transactions, and secondly, by the free loaning of capital to enable us to make use of our great resour-ces, develop our mines, build our railroads and extend our commerce. We do not forget the kindness shown us in times of financial distress, especially in 1873, when business was at standstill when one of our honored citizens and princely merchants (af-terwards a president of our chamber), Mr. James Gore King, visited Lon-don, and, by his high character so impressed our financial men that the bank of England advanced one million pounds sterling, in sovereigns, and sent the same by packet to New York, under the control of Mr. King, to enable the banks in New York to resume specie payments and thus restore confidence, asking for no security save the honor of Mr. King and his and Baring Brothers' guarantee, no stipulation being made as to the time the loan was to be returned, nor any proof expected or requested, the only reward being the desire to do a kind. reward being the desire to do a kind ly and friendly act. We do not, we never can forget, that when, during our late struggle, we were not only threatened with a divided country, but were overshadowed by the me-nace of the war with you, your illus-trious, good, wise and beloved queen (God bless her memory) was our best friend.

friend. "We are of the same race, the "We are of the same race, the same blood, the same language, and tradition; we have the same religion, civilization and laws, and we read the same Bible; no, sir, we can only be rivals in the effort each may put forth, actuated by the same desire to carry to the ends of the earth the blessings of our civil and religious liberty. To this end we will work hand in hand, shoulder to shoulder, heart beating with heart."

All of the speeches toward

All of the speeches teemed with extreme friendliness and faith in the establishment of permanent friendly relations. All the speakers expressed the belief that Great Brit ain and the United States would rule the destinies of the world, and that their unwritten alliance would always work for peace and the benefit of mankind.

Lord Brassey presided. On his right was Mr. Choate and on his left Lord Lansdowne. Morris K. Jessup, Andrew Carnegie, Cornelius N. Bliss, Lord Alverstone (lord chief justice of England), Mr. Griscom, George C Ward, Lords Strathcoma and Mount royal, Levi P. Morton, Lord Avebury (president of the associated chamber of commerce) and J. Pierpont Morgan were among those seated at the table of honor. In all nearly three hun-dred were present.

Presidential Appointments in Navy. Washington, June 6.-The president vesterday made the following appointments in the navy: Commander Lewis C. Heilner; lieutenant com manders, Charles N. Atwater, Harry Kimmell, George W. McElroy; lieutenants, walter S. crossley, Benjamin B. McCormick; lieutenants, junior grade, Wat C. Cluverius, Jonas A. H. Holden, Earl J. Jessop, Thomas A. Kearney, Arthur McArthur, jr., Charles M. Tozer; chaplain, F. McGraft, excitators are supposed in M. McGraft. Grafi; assistant surgeon, G. M. Mayers; chief sailmaker, to rank with but after ensign,

Would Make Them Object Lessons. Minneapolis, Minn., June 6.—Tho National American Woman Suffrage association put in the last day of it. convention here at steady work. An amendment to the by-laws making the annual conventions movable in-stead of at Washington every other year was defeated on the appeal of Susan B. Anthony, who wanted the conventions to be object lessons to

congress. Judge Brewer Married.

Burlington, Vt., June 6.-Judge Brewer, of the United States supreme court, and Miss Minor Mott were married vesterday afternoon

AMERICAN LOCOMOTIVES. Englishmen Claim They Run Well but Cost too Much for Fuel and Re-

London, June 7 .- The Midland Rail way Co., since the latter half of 1899, has been using 40 American locomo-tives. Samuel W. Johnson, superintives. Samuel W. Johnson, superin-tendent of the locomotive department of the company, will say in the Daily Mail to-day that the results of six months comparative tests made with standard Midland good engines under the same conditions showed the extra working cost of the American loco-motive over the British to be from 20 to 25 per cent. in fuel, 50 per cent.

The American locomotives in question cost £400 less than the British. They were delivered in the course of a few months, while the locomotives ordered of British firms in March, 1887, were not delivered until Febru-1900, largely on account of the

Sir Alfred Paget, of the Midland Railroad Co., will confirm Mr. John-son's statement in the Daily Mail, but

"in the United States they make their engines on an entirely different principle and with quite an opposite idea to ours as to their future. In the United States you take an engine off a peg, as it were, and from then work it right out till it dies, giving it no rest. The American contention is that by the time it is done for something better will come along. "We make our engines as good as

we possibly can and then we tend them carefully, rest them, clean them and do everything to make them

"The Americans can make them a well as we can but the conditions are different. Ours are better under all circumstances. There is no market in the English railways for American engines. Abroad it is different."

BUTCHERED AND EATEN.

Members of a South Sea Expedition Are Massacred by Cannibals.

Berlin, June 7.—The Tageblatt prints a special correspondence from ew Guinea containing a full account of the massacre of the members of the first German south sea expediention on the cannibal islands of St. Matthias. They were all killed and eaten, save Dr. Heinroth.

The Colonial Zeitung, the official organ of the German Colonial society, formishes details of the massacre. It the first German south sea expediti-

furnishes details of the massacre. It seems that the vessel which carried the expedition to the mand of St. Matthias left, after a few days, for Herbertshoh, New Britain, to get coal and fresh supplies. During its absence the savages, who had hitherto appeared friendly, although known to be rabid cannibals, planned to kill and rob the diminished party.

rob the diminished party.

The plot was carried out one morning while the members of the expedition, who had a body guard of 40 drilled papuans, were cleaning their rifles, which they had taken apart. Suddenly 80 of the islanders broke rom the bush, raising fierce war crie and brandishing spears with which they stabbed to death the leader of the party of Menckon (heretofore cabled as Mercke or Mencke), his secretary, Herr Caro, and a white sailor who was asleep under a tent. Dr. Heinroth emptied his revolver

into his assailants, while the body guard, in the meantime, retired to the boats with the wounded and Dr. Heinroth, leaving 12 dead. The boats put off to an island not far distant, where the expedicionary regular. where the expeditionary vessel res ors returned to the island of St. Mat-thias, where they found that the bodies had been devoured and the

PARDONED.

President McKinley Liberates Five Men and Commutes the Sentences of Four Others.

The president yesterday acted upon 14 applications for pardons. He commuted four sentences and granted five pardons as follows: Randall Adams, convicted in the United States district court of Kentucky for conspiracy to intimidate officers which resulted in the killing of a deputy United States marsnal and sentenced to imprisonment for life. pardoned. He has served about ten years. Harry Johnson, sentenced to pay a fine of \$800 and serve 13 months in prison, October 4, 1900, in the southern district of Ohio for embez-zling post office money order funds while postmaster at Wilberforce, was pardoned. The amount taken was about \$800. Harry H. Smith, in 1900, was convicted in Indiana of counterfeiting and sentenced to two years in the Ohio penitentiary. The presi-dent commutes the sentence to one r. William Moore was convicted Pennsylvania of robbing a post office and on September 8, 1897, was sentenced to the penitentiary for five years. He was pardoned. Nicholas Polidate was convicted in 1898 in North Carolina of counterfeiting and North Carolina of counterfeiting and sentenced to serve a term of six years in prison. His sentence is commuted to expire June 13, at which time he will have served two years. Richard Toulmin was convicted in the United States consular court at Shanghai, China, in 1898, of the murder of a Chinaman on board the American Chinaman on board the American ship Dosing in the harbor of Wu Chow and sentenced to life imprisonment in Shanghai prison for American convicts. He is pardoned.

A Boer Reverse.

Pretoria, June 7.—Col. Wilson with 240 of Kitchener's scouts has surprised and routed 400 Boers belonging to the Beyer command, 34 miles vest of Warm Baths. The Boers resisted stubbornly, but finally broke and fled, leaving 37 dead, a hundred prisoners, and all their wagons and supplies, including 8,000 cattle, in the hands of the British. The loss of the latter was three men killed and 15 wounded. Beyer's main command arrived on the scene soon after the engagement, but failed in an attempt to recapture the supplier

THE TARIFF.

It is Discussed by the Industrial Com-mission in New York City.

New York, June 7 .- The industrial ommission at its session yesterday considered the tariff question, the witnesses being Congressman Taylor, of Ohio, and Dr. George Guiton, presi dent of the New York Institute of Social Economies. Mr. Taylor took the position that any discussion on ques position that any unscussion of ques-tion of tariff at this time would have a damaging effect upon the country. He said the Dingley law was the most equitable tariff law the United States had ever had. He took a decided position against trusts and said that they are not fostered by the protec-tive tariff. Mr. Taylor also said that he believed in the principle of reci-procity but that he did not endorse any of the recently negotiated reciprocity treaties.

Dr. Gunton devoted himself especially to replying to an argument cently made before the commission by Mr. Edward Atkinson for freer trade. Mr. Gunton said that the freedom contended for by opponents of the tariff is analagous to the freedom of the savage, a freedom which if indulged in too freely not only brings injury to others but ruin to himself.

Mr. Taylor announced the general

Mr. Taylor announced the general principle that the history of the country for the past four years and the present conditions demand that there should not be the slightest relaxing of the tariff principles as now embodied in the Dingley law. The relation of the tariff to trusts, he said, is only incidental. The Dingley law embodies, he said, the idea that the American civilization is on a higher plane than any other and requires a higher reward for its labor to maintain that excellence. Whenever the tain that excellence. Whenever the labor cost is greater than elsewhere, it is necessary that there should be an equalizing influence such as the Dingley law. Principally, therefore, an equations
Dingley law. Principally, therefore, the protective tariff law was in the interest of labor. Even the farmer, he said, gets a reciprocal benefit.

Taylor announced himself as

Mr. Taylor announced himself as opposed to the principle involved in the trusts because, he said, he considered human nature too weak to entrust in a few people such a power as is involved in trusts. He thought abuses were certain and that the result would be what he called governmental socialism or governmental ownership of the articles controlled by the trusts. by the trusts.
"Do you know of any combine that

actually controls any industry?" Mr. Clark asked. Mr. Taylor said that he

Mr. Taylor said that distrustful as Mr. Taylor said that distrustful as he was of the trusts he had no remedy to suggest. He did not accept the theory that the trusts alone could be trusted to reduce the cost of commodities. He said he would oppose the Babcock bill placing iron products on the free list because the result would be to destroy independent effort.

While it would not especially injure While it would not especially injure the trusts, as with them the only effect would be to reduce labor. On general principles he thought a discussion of the tariff at this time would be unwise and undesirable. He did not consider trusts the outgrowth of protection, but conceded that incientally some trusts had been beneficially some trusts. dentally some trusts had been bene

fited by protection. LINCOLN'S REMAINS.

They Will be Reinterred in Such a Manner as Will Foil Body Snatch-

ers.
Chicago, June 7.—The Inter Ocean will to-morrow print a story saying that the recent re-interment of the remains of Abraham Lincoln at Springfield, Ill., has been done in such a manner as to leave them in a measure at the mercy of body-snatchers, and that steps are to be taken at once, at the instance of Robert T. Lincoln, to have the body placed as in the former monument, under a huge block of cement, where it will be out

of reach of any attempt at molesta-Mr. Lincoln some time ago gained the idea that the remains of his father were not properly secured against possible desecration by body-snatchers and determined to make an investigation on his own account. He went to Springfield in the disguise of a workingman, *nd spent much time in and around the new monument. present location of the body left it in a measure at the mercy of any hody who should desire to carry it away, particularly as there is no watchman around the monument at He will take steps at once to have the matter remedied, and have the body placed so that it will here secure from any interference whatever.

Snow Fall in the West.

Jamestown, N. D., June 7.—Snow fell heavily yesterday throughout the central and northern portions of North Dakota. At Jamestown snow fell for two hours this morning. similar state of affairs is reported in towns on the Jamestown Northern The snow quickly melted railroad. The oldest settlers cannot recall similar occurrence in June.

Will Investigate.

Washington, June 7.—A naval board of inquiry will be assembled at San Francisco to investigate the explosion which occurred yesterday in the na-val powder magazine at the Mare Island navy yard.

The People's Church.

Chicago, June 7.—Articles of incor-poration for the People's Church of America were granted yesterday at Springfield, this action being taken to extend the scope of the People's Church of Chicago into a national or-ganization. The Chicago church, un-der the direction of Rev. Dr. H. W. Thomas, will be the parent body and will have limited jurisdiction over congregations at other points. The first new branches are proposed for Duluth, Minn., and for the Black Hills region in South Dakota. Branches already exist in Milwaukee.

THE MANUFACTURERS.

Commercial Reciprocity Was the Theme that Was Discussed Yester-

Detroit, Mich., June 6 .- Commercial reciprocity was the theme which the Manufacturers National association discussed yesterday and one on which widely diverging views were ex-pressed at times when self interest alone prevailed, but when these interests were laid aside and the good of the manufacturing industries of the United States was considered in the United States was considered in the aggregate, then the delegates were agreed that reciprocity was the only means by which the foreign trade of the American manufacturers could be regarded. During the discussion of the president's report at the morning session, Gen. W. H. Withington, of Jackson, Mich., said he thought the business men or the country and not the politicians should have the the business men of the country and not the politicians should have the most to say about the tariff laws. He was in favor of tariff revision although he had hitherto been in favor of a high tariff. W. L. Sanunders, vice president of the Ingersoll-Sergeant Drill Co., of New York, agreed with Gen. Withington. He said a high tariff was not only unecessary, but a hindrance and a danger of the said and the said a high tariff was not only unecessary, but a hindrance and a danger of the said and the said a high tariff was not only unecessary, but a hindrance and a danger of the said and th necessary, but a hindrance and a danger to our business. "Our Russian sugar controversy," said he, "shows how we may be legislated against by other nations."

other nations."

William E. Wood, manufacturer of ice tools, said if he looked at the matter from a selfish point of view, he would declare for absolute free trade but agreed with the others that a

protective policy was the best.

James F. Taylor said that while American manufacturers were clamoring for the open door in China they should not shut the goor of the United States.

Detroit, Mich., June 7.—At its closing session yesterday the National Association of Manufacturers adopted a resolution recommending the calling of a general convention for the consideration of reciprocity treaties with foreign countries. The ex-ecutive committee was charged to call and organize such a convention. The following resolution was adopted with regard to tariff revision: "Re-solved that the National Association of Manufacturers affirms the follow-ing principles should govern all legis-lation. The object of tariff legislation should be to furnish adequate protection to such products only as require it, without providing for mo-nopoly abuses. The tariff on goods of which the cost of production is higher in the United States than in foreign countries should be at least what is necessary to compensate domestic industries for the higher cost

of production."
The association re-elected its old officers as has been the custom since it was organized and fixed Indian-apolis as the place for the next convention.

CHRISTIAN ENDEAVORERS.

They Are Making Great Plans For Their Twentieth International Con-

vention at Cincinnati. Cincinnati, O., June 6.—The twen-tieth international Christian Endeavor convention, to be held in this city from July 6 to 10, gives promise of being the best convention ever held by that great organization of young people in the churches.

The program for the convention is

the most elaborate ever prepared for a religious meeting. The list of speakers is larger than ever and contains the names of prominent orators, missionaries, lecturers and Christian Endeavor workers, laymen as well **as**

ministers.

The most elaborate plans have been devised for caring for the tens of thousands of visitors. In addition to the 1,500 in the choruses, another 1,500 will be employed in the work of the reception, entertainment and ushers committees. All visitors on arrival will be cared for by the reception committee of 800 young people. Nineteen churches have been designated as headquarters for the various state delegations. To one of these each visitor will be conducted, and after registration will receive ministers. ed, and after registration will receive the official badge (without which none can be admitted to the meetings until after the hour of opening), the program, man of the city etc. then be assigned to his temporary home. The entertainment committhen be assigned to his temporary home. The entertainment commit-tee has prepared a large list of pri-vate residences where Christian En-deavorers will find entertainment at a nominal price, and ample provision has been made for the expected great

TO ERECT NEW BUILTINGS. Mr. Armor Will Make Another Large

Donation to Armour Institute. Chicago, June 6.—In furtherance of the plans to make the institution founded by her husband the best school of engineering in the United States, Mrs. P. D. Armour to-day decided to add \$250,000 to the recent donation of \$1,000,000 made by J. Ogden Armour, to the Armour institute. With the latest gifts two new buildings are to be erected. One will be the Armour Memorial School of Engineering, the other will be oc-cupied as a workshop, and according to plans, will be the model shop of the country. Two hundred thousand dollars will be expended in the erection of Memorial hall, the other \$50,-000 being spent for the building and equipment of the workshop. Yester-day's donation makes the total amount given by the Armour family to the institute that bears their name

Documentary Stamps

Washington, June 6.—Commissioner of Internal Revenue Yerkes has informed collectors that in order avoid unnecessary correspondence garding the recent decision of supreme court declaring the require-ment that documentary stamps be affixed to export bills of lading to be unconstitutional, a request has been made to the supreme court for a rehearing of the case of Fairbanks vs. the United States involving the same questions which has been granted. The granting of this leave for a rehearing prevents the mandate being executed.