

LATEST NEWS BY TELEGRAPH

Domestic

Suit for \$10,000 for alienation of affections has been filed by Mrs. Williams R. Boland, of West Eaton, N. Y., against Mrs. Grace R. Roberts, who is also a resident of West Eaton.

Mrs. Wilhelmina Protze, aged 83 years, committed suicide in New York. She made preparations to kill herself after having celebrated her birthday anniversary alone.

The body of Mrs. Ashton Harvey, covered with a fortune of jewels, was found in a private pleasure lake on the estate of Stewart Hartshorn, at Shout Hill, N. J.

Roger O'Mara, trustee of Harry K. Thaw in bankruptcy, and his attorney, ex-Governor Stone, of Pennsylvania, conferred with Thaw in the Poughkeepsie Jail.

George W. Fitzgerald, accused by the Illinois authorities of the theft of \$173,000 from the sub-treasury at Chicago, was freed by Judge Chetlain.

Announcement is made that Prof. George A. Coe will resign as professor of moral and intellectual philosophy at the Northwestern University.

Mrs. Nellie Busch Magnus, daughter of Adolphus Busch, the wealthy brewer, was secretly married to Jacob W. Loeb, of Chicago, June 6.

Fire destroyed the Proctor Furniture Company's building at Asbury Park, causing a loss of \$60,000.

Emil Keehm was blown to pieces as the result of an explosion of an oxygen tank in Detroit.

Policeman David E. Sheppard, of Brooklyn, was indicted for the murder of Barbara Reig.

Receiver Austin, of the failed brokerage firm of Cameron, Currie and Company, of Detroit, asked that certain members of the Boston brokerage firm of Hayden, Stone and Company be sent to jail on the charge of contempt of court.

Second Vice President Collins, of the Standard Oil Company of Kentucky, denied giving orders for the payment of money to secure information concerning the shipments of competitors.

One man was burned to death, two women were seriously injured and several others painfully injured during a fire which destroyed two buildings of the Philadelphia Cricket Club.

Mrs. Barbara Barrett, an elderly woman, of Lost Creek, Pa., and John Gilks, aged 21 years, of Newark, N. J., were killed by a fall of earth while they were standing in a mine breach.

Mrs. Mary Bedell shot and probably fatally wounded her husband, Stephen Bedell, a boatman, during a quarrel at their home, in Jersey City.

Dr. Frederick J. Mayer told veterinarians that they can do much to prevent the spread of consumption and other disease among human beings.

The recently enacted pure-food law was warmly praised by speakers at the annual convention of the International Stewards' Association.

Capt. Walter Auble, of the Los Angeles police force, was probably fatally shot by two burglars.

Foreign

A daring attempt was made in Guilford, Eng., to steal valuable jewels belonging to Mrs. John Ward, daughter of Whiteley Reid, the American ambassador.

There was an impressive scene in the Glasgow Council Chamber when a deputation of the unemployed submitted their demand for work.

A German arrested at Orleans, France, on the charge of being a spy confessed that he was in the pay of the German authorities.

The municipality of Sebastopol conferred the freedom of the city on Count Leo Tolstoy and named a school after him.

The police charged a gathering of rioting coal miners in the town of Wanne, Germany. Ten of the rioters were wounded.

John E. Redmond and Joseph Devlin, members of the Nationalist party, left Queenstown for the United States.

The breach between France and Germany on account of the Moroccan affair is growing wider.

Princess Matilda, of Saxony, was thrown by her horse near Dresden, and severely injured.

The German army maneuvers in Alsace-Lorraine were concluded.

Silvio Ricci, who is accused of throwing the bomb that caused a panic in the courtyard of the Grand Mosque, in Constantinople, in 1905, while the Sultan was descending the steps of the mosque, was arrested.

The Trade Union Congress, in Nottingham, Eng., passed a resolution condemning the British workmen who engaged themselves as strikebreakers in Germany and the colonies.

COURT RULES OUT THE COMMODITY LAW

Railroads Win in Fight Against Hepburn Rate Law.

JUDGE GRAY GIVES THE OPINION.

Roads Owning Coal Mines Sustained in Possession of Properties in Opinion Handed Down by Federal Circuit Court of Appeals, Which Declares Provision of Noted Act Unconstitutional.

Philadelphia (Special).—The commodity clause of the Hepburn Act was declared unconstitutional by the United States Circuit Court of Appeals, the judges of which are George M. Dallas, Geo. Gray and Joseph Buffington.

The court was divided on the question of the constitutionality of the Hepburn Rate Law commodity clause. The opinion declaring it unconstitutional was handed down by Judge Gray with Judge Dallas assenting. Judge Buffington filed a dissenting opinion. The opinion of the court invalidating the law makes 20,000 words.

Agrees With Roads' Counsel.

In the main, the majority opinion upholds the arguments made by the distinguished counsel which represented half a dozen of the big mine-owning railroads at the hearing last May, and, by inverse reasoning, declares the commodity clause to be unconstitutional. This was done by summarily dismissing the bills of complaint filed by the government through Attorney General Bonaparte.

Briefly the constitutionality of the law is attacked on the ground that it is contrary to State's rights and, therefore, illegally interferes with the power of a sovereign commonwealth to conduct its own business.

From beginning to end the majority opinion is a clean defeat for the government.

Discriminates in Favor of Lumber.

The Hepburn clause prohibits all railroads from transporting interstate commerce any commodity owned or produced by it, with the exception of lumber. A decision in favor of the government would have compelled the anthracite coal railroads to divorce themselves from the coal companies which all of them own and control.

The decision supports the contention made by John G. Johnson at the hearing last June to the effect that the commodity clause in excepting lumber from the provisions of the act, is discriminative.

This decision does not affect the Philadelphia and Reading Railway, however, as at the beginning of the hearing Attorney General Bonaparte announced that the suit against the Reading will be tried separately, since the organization of that company presents a situation entirely different from that of the other railroads.

It is understood that Attorney General Bonaparte will take an appeal from the decision and will ask for a further hearing before the United States Supreme Court.

PLAGUE IN SQUIRREL'S BITE.

Park Pet Inoculates Dread Bubonic Into Boy Friend.

Los Angeles, Cal. (Special).—A case of bubonic plague has been discovered here. The patient, a boy named Mulholland, is convalescent.

Three weeks ago the boy found a sick squirrel in the park and picked it up. The squirrel bit the boy in the hand. Sickness followed and the attending physician declared it to be bubonic plague. Other physicians were called and discovered that the squirrels in the park have the disease.

No other cases have developed, and it is believed by the authorities that there will be no spread of the disease.

OPPOSE THAW'S REMOVAL.

Stand Taken by State Commission in Lunacy.

Albany, N. Y. (Special).—Any attempt to take Harry K. Thaw from the Dutchess County Jail, at Poughkeepsie, to Pittsburg or any point outside the State will be opposed by the State Commission in Lunacy.

Dr. Albert W. Ferris, president of the commission, returned from a long European trip, and announced the position the commission would take regarding the order of Referee Blair, of Pittsburg, that Thaw shall be taken to Pennsylvania to be examined in the bankruptcy proceedings instituted in his behalf.

THREE HELD FOR ARSON.

Charged With Starting Great Fire in New Orleans.

New Orleans (Special).—Julius Lipps, manager; Abe Wolf, secretary and treasurer of the Central Glass Company, of New Orleans, and John Eckert, an employee of that company, were indicted by the grand jury on the charge of arson in connection with a fire which about 10 days ago burned over a portion of three blocks in the business section of New Orleans, causing a loss of \$1,500,000.

The fire originated in the building occupied by the Central Glass Company.

Partons Japanese.

Washington (Special).—The President has granted a pardon to K. Yoshida, a Japanese, convicted January 31, 1905, of murder, at Valdez, Alaska, and sentenced to serve 30 years at Fort Leavenworth. Yoshida has gone insane from homesickness since his incarceration, and the United States district attorney, who prosecuted him, and the warden of the prison recommended his pardon. The man whom Yoshida killed, was the foreman of a mining factory.

MADMAN ATTACKS FAMILY WITH AX

Three Victims Dying of Wounds in Hospital.

Wilmington, Del. (Special).—While temporarily insane, presumably because he had been for some time out of work, Pearson Talley, a ship carpenter, aged about 64 years, at 4 o'clock A. M., made a murderous attack upon the other members of his household, at their home, 402 West Sixth Street.

His weapon was a broadax, with which he cut his wife and his adopted daughter, Mrs. Edith Johansen, aged about 30 years, and Andrew Johansen, aged about 30 years, the husband of his adopted daughter. All of the victims are at the Homeopathic Hospital and still alive, but all are expected to die.

Talley was formerly a farmer, living near Wilmington, and had some means. About nine years ago he came to the city and bought the house in which he lived and in which the tragedy occurred. After coming to the city he secured work at the local plant of the American Car and Foundry Company. He had, however, been unemployed for sometime, and this is thought to have affected his mind.

Talley appeared to be in good spirits when the members of the household retired, but he awoke about 4 o'clock A. M., while all of the others were asleep, and, obtaining the axe and without a word, attacked the wife and adopted daughter in their sleep. The commotion awoke Johansen. Johansen grappled with Talley, but Talley appeared to be possessed of the strength of a maniac, and Johansen could not get the weapon away from him.

John J. Farman, a neighbor, who heard the noise, came to his assistance and together they disarmed Talley, and though Johansen had his skull fractured in the encounter, he was conscious and ran to the street in his night clothes and summoned Dr. F. F. Pierson.

After he had been disarmed Talley's senses began to return to him, and he realized what he had done, and begged those about him to kill him with the axe, which had been hidden back of a bureau. Talley was taken to police headquarters in his nightclothes, but not without a fight with the police. Later in the morning he was arraigned in the police court and held without bail.

WILL EXILE MANIAC KING.

Annam Monarch Tortured Several Wives To Death.

Saigon, French Cochinchina (By Cable).—Former King Than Thal of Annam, who has been on trial for torturing several of his wives to death or into insanity, will be exiled to Algeria by the verdict just rendered.

This is Than's second offense. For the first he was removed from the throne two years ago in favor of his son, a youth still under 21. Physicians who have examined the deposed monarch say he suffers from periodical attacks of homicidal mania.

MAN BLOWN TO PIECES.

Detroit, Mich. (Special).—An oxygen tank, five feet long and ten inches in diameter, used in connection with a tank of hydrogen in a welding process, exploded at the plant of the Michigan Crucible Steel Casting Company on Guin Street, instantly killing Emil Keehm. Two other workmen were injured. Keehm was blown to pieces.

Longworth Stable Burns.

Cincinnati, Ohio (Special).—Congressman Nicholas Longworth's two-story brick stable at his Grandin Road home was completely destroyed by fire shortly before 2 o'clock A. M., causing a loss estimated at \$30,000. With the stable five carriages were burned, but the servants who slept in the stable got out safely and saved the horses. Mr. and Mrs. Longworth had just returned from a party when the fire was discovered.

Electric Chair For Smith.

Norfolk, Va. (Special).—Henry Smith, a negro charged with criminal assault upon aged Mrs. Catherine Powell, of Portsmouth, upon his second trial in the Norfolk County Circuit Court was found guilty and sentenced by the trial jury to death.

Judge Daig fixed October 13 for the electrocution, which will be the first use of the death chair since its substitution for the gallows in this state.

March Of The Unemployed.

Liverpool (By Cable).—The unemployed of this city organized a procession and marched to the town hall. Two deputations were received by the lord mayor. They showed that 10,000 of the laborers of Liverpool were out of work, and requested relief. A relief fund has been started.

Accidentally Shoots His Sister.

Portsmouth, N. H. (Special).—Carroll Hall, aged 14, of Danville, shot his sister, Flossie Hall, aged 16, with a shotgun. The charge entered the neck, and death resulted almost instantly. Young Hall was arrested. He says he did not know the gun was loaded.

Terrible Heat In Texas.

Fort Worth, Tex. (Special).—A special from Strawn, Tex., a mining town west of here, says that the thermometer there registered 112 degrees and is standing at 109 with a hot wind blowing from the south. All business has been suspended in Strawn. Waco reports a temperature of 101 for the past three days and that the intense heat there has caused wall paper to split from the walls of dwellings on account of the unusual expansion.

ORVILLE WRIGHT FLIES OVER AN HOUR

Aviator at Fort Myer Breaks Aeroplane Record.

TAKES A PASSENGER WITH HIM.

On Third Trip of the Day Inventor Takes Lieutenant Lahm for a Six-minute Sail—Flight of 57 Minutes Made in the Morning and One of 62 Minutes and 15 Seconds in the Afternoon.

PREVIOUS RECORDS.

October 15, 1907—Henri Farman.

March 20—Farman made one and a half miles with his aeroplane at Iss-les-Moulineaux.

May 3—The aeroplane of the Wright brothers was flown three miles in three minutes.

July 4—Curtiss' aeroplane, the June Bug, flew one mile and won the Scientific American trophy.

September 2—Two Cornell students covered 3 miles in 5 minutes in an aeroplane of their own making.

September 5—At Le Mans, Wilbur Wright covered 15 miles in 20 minutes in his aeroplane.

Washington, D. C. (Special).—Orville Wright, in three phenomenal flights at Fort Myer, established new aeroplane records that not only assure the success of the official trials before the army board, but indicate that aerial flight is now only a matter of development. War on land and sea will find in the aeroplane a valuable means of reconnaissance and possibly of warfare.

Two flights of approximately one hour each, another flight in which two men were whirled through the air for upwards of six minutes, were the achievements of the Wright brothers' aeroplane Wednesday. That these flights, record-breaking as they were will even be surpassed by Orville Wright during his trials at Fort Myer, is confidently predicted.

First flight made Wednesday morning, in which the machine circled the drill grounds at the fort 57 times in 37 minutes and 31 seconds, was surpassed in the evening when a flight of sixty-two minutes and fifteen seconds was made.

Not satisfied with breaking all distance and time records for a heavier-than-air flying machine Mr. Wright took Lieutenant Frank P. Lahm, the aeronaut of the Signal Corps, for a spin around the drill grounds and making a new record for a two-man flight. All this happened so quickly and unobtrusively that the spectators, among whom were members of the cabinet and high officers of the army and navy, could hardly realize that history had been made and that a new era in the progress of the civilized world was begun.

The morning flight was witnessed by only a handful of enthusiasts, but the news spread so rapidly that fully a thousand people gathered on the military reservation across the Potomac from the national capital to see the afternoon event.

At 5:16, as the sun was disappearing below the Virginia horizon, the latest invention of man to challenge the laws of nature rose grandly into space and sailed over the green sward of the drill grounds. Higher and higher it rose, turned at a slight angle as the aviator brought it around at the far side of the field and raced along at increasing speed. There was hardly a quiver of the aeroplane in the first few rounds of the field, Mr. Wright evidently having the steering apparatus well in hand.

Rising and lowering at will, the sight of the man-built bird was most impressive. Round after round the machine traveled on cutting short turns, shooting along the stretches and presenting somewhat the appearance of an automobile racing about an imaginary course in the air.

The aviator paid little heed to anything but his levers for warping the surface of the planes and controlling the altitude of the craft. He seemed oblivious of the crowd below until, having broken the record of 57 minutes and 31 seconds established by him this morning, the crowd raised a cheer that told him of his new achievement. Then Mr. Wright waved his acknowledgments.

WASHINGTON

A number of women scientists, authorities in research in their respective countries, will be accredited delegates to the Tuberculosis Congress at Washington.

Naval officers are greatly impressed with the utility of the Wright aeroplane as an adjunct to the naval force and careful observations will be made.

John S. Early, the leper, received \$165 from the Pension Department. He at once sent the check to his wife.

Dr. Harvey W. Wiley, chief of the Bureau of Chemistry, has been honored by the first international congress for the repression of adulteration of food meeting at Geneva, Switzerland.

A tropical storm raged through the West Indies, but will probably not affect the United States.

Judge Parker was in Washington to confer with associate counsel representing Gompers and Mitchell in the labor contempt case.

Orville Wright made two very successful flights in his aeroplane at Fort Myer.

Emile Berliner has lately constructed an experimental propeller of such power that, placed horizontally, it is capable of lifting 460 pounds in a calm straight up into the air.

THE TRAGIC SUICIDE OF A DOCTOR

No Money, No Work and a Starving Family.

New York (Special).—A man believed to be Dr. C. H. Brooks, a cancer specialist, of Portland, Me., committed suicide in Mills Hotel No. 3 by taking some subtle drug, the nature of which could not be determined, and it was learned that the suicide was the same man who last Saturday night tried to end his life in the rectory of the Church of the Holy Innocents in West Twenty-Sixth Street. Two priests at the rectory saw the man trying to cut his throat with a razor and held him until a detective arrived.

In establishing the fact that the suicide and the man who tried to take his life in the church rectory were the same person a tragic story was revealed. After being prevented from taking his life on Saturday the man, who said his name was Dr. C. H. Brooks, of Portland, Me., confessed to the priests the causes which led him to attempt such a rash act. He said he had come here to seek work, that he had left his family in Maine in a penniless condition, and that it was worry over their sufferings that had made life unendurable.

Daniel Madden, a hotel detective, who had been called in by the priests, accompanied Dr. Brooks to the Mills Hotel and paid for a room for him for two days. The priests gave Mr. Brooks some money to pay his living expenses, and believed they had reasoned him out of his desire to commit suicide.

Poison On His Lips.

When the police learned that a man who registered at the Mills Hotel as Dr. C. H. Brooks, of Portland, Me., had suddenly died, supposedly of hemorrhages of the lungs, the coroner was called.

The investigation led to the finding of letters which were almost convincing proof in themselves that he had killed himself, and the coroner confirmed this conclusion that he found traces of poison on the lips of the man.

There was one letter, apparently from the man's wife, saying she would kill herself unless his next letter brought "something in the way of encouragement." On the back of the envelope was written: "I don't feel as bad as I did when I wrote this letter. Read between the lines. I will write a better one Sunday. Cheer up—you will soon be dead."

The police fear that the remark, "You will soon be dead," means that the writer knew that Dr. Brooks intended to commit suicide, and perhaps had entered into a suicide pact with him, and may now be dead herself. The letter, which was dated at Portland, Me., September 3, reads:

A Pathetic Letter.

"My Own Darling: Your letter and postcard written Tuesday received this morning, and, as you may well imagine, their contents have made me very blue. I shall simply go crazy if your next letter doesn't bring something in the way of encouragement. There is enough morphine here to end it all, and if I become much more despondent I shall take it and take the children with me. Murderous and suicide will be beautiful things to say about me, but I would rather be dead than live like this. I had so hoped to hear something encouraging from you today, not having anything yesterday, and this letter before me is not calculated certainly to keep a woman's heart and courage up, but rather to sell her body for a few clothes and stamps to write to her dear husband, and only see the dark side of everything. You needn't comment on this letter when you write, but just brace up and do something so that we may see our way to be together. I know I must love you whether I want to or not. Nothing but love would have made me stick to you as I have. The thoughts of you having to sleep outdoors almost drives me mad. (Signed)

"YOUR LOVING ALICE."

W. L. Ramage, in whose care the letters were addressed, said that he knew very little of Brooks. He said that he believed that at one time Brooks had been a practicing physician, but had later become a traveling salesman. It is the theory of the coroner that the man, through his knowledge of drugs, procured and took some rare poison. An autopsy will be performed to determine positively the cause of death.

Confesses He Is A Spy.

Orleans, France (By Cable).—The German who was arrested here a few days ago on the charge of being a spy, confessed that he had been acting in this capacity for several years past, under the direction of the German military authorities of Alsace-Lorraine. The man was taken into custody while attempting to bribe a French soldier to abstract important parts of a field gun.

American Soldier of Fortune.

San Francisco (Special).—Passengers on the steamer City of Sydney, which arrived here from Panama and Central American ports, brought the news that Capt. Lee Cannon, a graduate of Cornell, who is said to be one of the leaders in the Honduran revolutions, was captured and has been sentenced to death. According to reports heard by the passengers, Cannon killed 15 men in his last stand, but was finally captured.

Carpenter Heir To Millions.

Berlin (Special).—Friedrich Schmidt, a carpenter of Spindelfeld, Upper Palatinat, has been notified through the Bavarian legation at St. Petersburg that he is heir to \$7,500,000 in cash and to several estates in Russian, the property of a certain German soldier of fortune named Schmidt. The latter was in the Russian service during the Crimean War and was promoted to be a general. He married a rich countess. His heir won the Iron Cross in the Franco-Prussian War.

FOREST FIRES ARE DESTROYING MANY TOWNS

Flames Rage Through Northern Minnesota Counties.

HUNDREDS MAY LOSE THEIR LIVES.

Hibbing, With Population of 12,000, Is in Danger of Destruction, and Only a Change of Wind Can Save It—Grand Marais, With 600 People, May Be Totally Burned.

Duluth, Minn. (Special).—Forest fires which have been raging for several days, threaten Hibbing, the largest and most prosperous town on the Mesaba range. The flames have been getting closer constantly, and every place of business is closed and the men are all out fighting the flames. A telegram from Hibbing says:

"The fire is very near the Great Northern spur on this side of Brooklyn, a suburb of Hibbing, and the wind is blowing in our direction.

The city has all available hose out and every man we can find is fighting the fire. They have established a pipe line and installed two plugs. The sky is clearing of smoke somewhat now, but we are threatened on the north."

In response to an appeal the Duluth fire department has gone to the scene, while the Mesaba Railroad has trains in readiness at Hibbing to take the people away.

Smoke from the forest fires which surround the town made Hibbing so dark that the electric lights were turned on there in the day to enable the citizens to see their way about. The smoke is stifling and the heat very oppressive.

Near Grand Marais.

Grand Marais, Minn., on the north shore, is on the verge of the fire. The women are weeping with fright and the worst part of the situation is that there is no avenue of escape open. Al J. Smith, county attorney of Hennepin County, who has been camping beyond Grand Marais, was burned out at his camp, and, with his party, escaped to Grand Marais in a launch. Settlers are walking into Grand Marais, smoke begrimed, burned and exhausted, with packs of their most valuable belongings on their backs and their families dragging behind them.

When Mr. Smith left the fate of Grand Marais was in doubt. The citizens were loath to leave their homes and belongings without making a fight for them, so many of them remained behind.

Mr. Smith says that an east wind would bring on the destruction of Grand Marais in an hour, and no power can save the town. If a fire comes before a boat gets there, the fate of the population will be in doubt.

There has been no rain in parts of the fire stricken country for 14 weeks.

Only a change of wind will save the village of Buhl with 1,500 people from being wiped off the map. The fires are steadily advancing on the little village in spite of desperate efforts to fight them off and nothing but a change of wind will save it from complete destruction before night.

Ready For Flight.

The citizens of Bovey are packing their household goods and preparing for flight. Coalmine is still safe but the streets are deserted, the residents helping the Bovey citizens to fight the fire and pack their belongings. Schools have been dismissed and everybody is ready for flight. Toconite is also in great danger and may go before night. Bovey has about 2,000 people and Taconite about 500. The Gopher left Duluth at 10 o'clock to rescue the residents of Grand Marais. Reports received here today indicate that the region covered by the fires extends as far along the north shore as Grand Marais, as far west as the western Mesaba ranges, south to within ten or fifteen miles of Duluth and as far north as the extreme northern edge of the ranges and perhaps much farther.

Throughout the distance, a territory one hundred miles square, fires are raging and residents are being burned out by the hundreds. It will be impossible to estimate the total loss for weeks to come. It will be very heavy.

THIS AND THAT

What a woman wants her husband to do every once in a while is to quit loving her and make love to her.

Nobody could estimate how many times a widow would have had to be married to get over being so innocent about men.

A man thinks he has fine business judgment when he guesses stocks are going up, and they do, unless he bought them.

People who say what they think have to do a lot of explaining.

Belgium has a Sunday postage stamp, issued for those who do not wish to have their mail delivered on Sunday. All mail bearing the Sunday stamp is held over by the carriers for delivery Monday.

A proposition is taking form for the establishment in the Himalayas of a sanitarium on modern lines for consumptives. The rich natives are manifesting a deep interest in the scheme and seem to be ready to help financially in bringing it to a realization.

The seventeenth universal cookery and food exhibition of England will be held at the Royal Horticultural Hall, Westminster, from November 20 to December 1. There will be sections for foods and food products, cookery of all classes and dining-room accessories.

When you hear people talking so loud that everybody in the block can hear them, it's a sign they are telling what they saw in Europe.

The average man isn't half as ashamed of going to jail as to a church picnic.