

FOLKE E. BRANDT AGAIN IN TOMBS

May Have To Serve Out Twenty Years' Sentence.

GERARD DECISION REVERSED

The Appellate Division Of the New York Supreme Court Reserves the Habeas Corpus Decision.

New York.—Folke E. Brandt, formerly valet to Mortimer L. Schiff, who was released from Dannemora Prison on a habeas corpus decision of Justice Gerard, in the Supreme Court, is again in the Tombs and may be returned to prison to serve out the 30 years to which he was sentenced five years ago by Justice Rosalsky in the Court of General Sessions. In a decision the Appellate Division of the Supreme Court reversed the decision of Justice Gerard liberating the prisoner, whose case caused much interest early this year when he applied to Governor Dix for executive clemency.

If the decision of the Appellate Division, which was unanimous, is appealed to the Court of Appeals, as counsel for Brandt assert it will be, the former valet probably will remain at liberty on bail. After the action of the Appellate Division, Judge O'Sullivan, in the Court of General Sessions, issued a bench warrant for Brandt's arrest and he was committed to the Tombs without bail.

The Court's View.

After reviewing the history of the case, Justice Miller, who wrote the opinion, said in part:

"We have nothing to do with the sentence except to determine whether it was in excess of the court's power. Burglary in the first degree is punishable by imprisonment for life.

"The order should be reversed and the writ dismissed and the prisoner remanded to the custody of the defendant, the warden of Clinton (Dannemora) Prison."

Brandt was first arrested in 1907. He had been employed in the home of Mortimer Schiff, son of Jacob Schiff, the banker. Brandt was discharged and one night went back to the house.

Schiff said that his former servant broke into the house, concealed himself in a dressing-room, after stealing some jewelry, and then attacked him.

He Pleaded Guilty.

Schiff gave Brandt money and told him to go to the former's office the next day. Brandt went. He was examined by detectives, later arrested, and for some reason pleaded guilty to burglary before Judge Rosalsky, who imposed a sentence of 30 years.

Brandt said that he had been deceived into pleading guilty to a crime that he did not commit. He said that he entered the house with no evil intentions and without breaking in. Later, according to his story, promises were made to him that if he would plead guilty and avoid publicity he would be released after a year or two and given money to set him up in business in Sweden, his native country.

Dix Refused Pardon.

As the years passed Brandt began to make efforts for release. He wrote to many persons. Senator Knute Nelson interested himself in the prisoner. Governor Dix refused a pardon, but the case had created a great deal of interest and Brandt was finally brought to this city and taken before Justice Gerard on a writ of habeas corpus.

WAS CHOKED TO DEATH.

Mrs. Harry McCabe Did Not Die Of Fright At Robbery.

Waynesboro, Pa.—Startling testimony was given at the hearing of Herbert Lewis and Sherman Jackson, the young negroes arrested in Philadelphia and brought here charged with robbing the summer home of Mrs. Harry McCabe, of Baltimore, at Pender, near here on April 20. Jackson testified that Lewis had confessed to him that he had choked Mrs. McCabe to death. Mrs. McCabe, who was an invalid, was found dead in bed after the robbery, but it was supposed that she died of fright.

Thanks From Salvador.

Washington.—The Salvadorean minister, Don Federico Mejia, called upon President Taft in the capacity of a special minister by direction of his government to thank the President for the cordial visit to Salvador of Secretary Knox. He also presented an autographed letter from President Araujo on the same subject.

Big Battle In Mexico.

El Paso, Tex.—The Mexican Federal Army has repulsed the rebel advance guard of General Orozco, and sharp skirmishes are now in progress preliminary to what is expected to be the most decisive battle of the revolution. Nearly 15,000 men are engaged on both sides, and the objective point of the rebels is Torreon, the railroad gateway of Northern Mexico. The Federals are protecting the city from all sides.

IN MEXICO



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REUNION OF GRAY AND BLUE

Commander-in-Chief Trimble Sends Fervid Invitation To Confederate Veterans To Participate In the Semi-Centennial Celebration.

Macon, Ga.—At the session here of the United Confederate Veterans a cordial letter from Commander-in-Chief H. M. Trimble, of the Grand Army of the Republic, to Gen. C. Irvine Walker, inviting those who wore the gray to participate in the semi-annual celebration next year of the Battle of Gettysburg, was read.

The convention as a whole speedily accepted the invitation, disregarding the action of the resolutions committee, which advised the organization to decline it. General Trimble's letter follows, in part:

"If this event might mark the final and complete reconciliation between those of the opposing armies of 50 years ago and the permanent establishment of harmonious and fraternal relations between the North and South it would certainly gladden the hearts of all our countrymen.

"To that end, voicing, as he believes, the common sentiment of his comrades and speaking for them in that behalf, the commander-in-chief of the Grand Army of the Republic extends to you and your comrades of the United Confederate Veterans most cordial greetings and sincerely requests that you and your comrades, in numbers as great as possible, join with the veterans of the Grand Army of the Republic in the celebration of the semi-centennial anniversary of the Battle of Gettysburg.

"Let us assemble there, and meet and greet each other, hand to hand and heart to heart, in the spirit of true friendship and brotherhood, born out of love for the flag and devotion to our common country. Thus will all the wounds of our former strife be healed, as they must some time be that this people, as a united and vital force, may effectively and mightily solve the problems of our nation's destiny in world affairs and human progress.

"With this invitation goes the outstretched hand of friendship, which I feel will surely be accepted in the spirit in which it is extended."

MRS. KNOX ROBBED.

Marine Aboard Cruiser Maryland Is Under Arrest.

Los Angeles, Cal.—A marine aboard the cruiser Maryland is under arrest, according to information received here, charged with having robbed Mrs. Phlander C. Knox, wife of the Secretary of State, of diamonds valued at more than \$2,000. The gems were stolen from Mrs. Knox during the tour of the Secretary and party in Central America.

Several of the diamonds were recovered from a pawnshop. They will be sent to Mare Island to be used as evidence when the marine is brought to trial.

Capt. J. M. Ellicott, commanding the cruiser Maryland, refused to discuss the alleged robbery. W. L. Coombs, secretary to Mr. Knox, said when asked to confirm the theft of Mrs. Knox's jewels, that their value had been exaggerated.

OLD CLERKS SPARED.

House Refuses To Make All Over 65 Ineligible.

Washington.—The House, in committee of the whole, struck out of the Legislative, Executive and Judiciary Appropriation Bill the provision making government clerks over 65 years old ineligible for reappointment. The abandonment of this feature of the bill was agreed to without debate.

MORE CAREFUL NOW.

Every Lifeboat Was Tested Before the Oceanic Sailed.

Southampton, England.—The White Star liner Oceanic sailed for Cherbourg and New York at half past twelve. Every lifeboat was lowered into the water and tested before the vessel's departure. Madame Navratil, the mother of the two French waifs from the Titanic, now being looked after in New York, is to join the liner at Cherbourg.

16 PERSONS KILLED BY EARTHQUAKE

Zapatalan, Top of Mt. Colima, Half Destroyed.

THIRTEEN SERIOUSLY INJURED

Volcano Becomes Alive—Throws Out Lava and Boulders In First Eruption For Century.

Mexico City.—Thirty-four persons were killed and half of the city of Zapatalan, which is located on the top of Mount Colima, was destroyed by an earthquake.

Sixteen persons were killed in the town of Guaman and 13 were seriously injured. Twelve shocks were felt at Guadalajara, while in Cuartel a half million dollars' damage was done, including the destruction of a large church.

Following the shocks Colima volcano became active, throwing out lava, boulders and sand in its first eruption since it destroyed the city of Zapatalan in 1806.

The State of Jalisco, in which Colima is situated, apparently bore the brunt of the disturbance. This is a state on the west coast, lying west of the ranges of the Sierra De Nayarit Mountains and is a high, rugged country. The capital city, Guadalajara, is situated on the Mexican Central Railway with a population estimated at 125,000.

It was partially destroyed by an earthquake in 1818. Guadalajara is situated on a mountainous plateau with an elevation of 3,750 feet and lies about 100 miles north of the volcano. The quake moved in a northeasterly direction.

OMAHA'S NEW GOVERNMENT.

Newspaper Man Heads Department Of Public Safety.

Omaha, Neb.—At a meeting of the newly-elected commissioners of Omaha Mayor James C. Dahlman was selected to again head the municipal government, with the title of mayor, and with immediate charge of the department of public affairs. The department of police, sanitation and public safety, regarding which there has been much interest, was assigned to John J. Ryder, an Omaha newspaper man.

EMINENT MINISTER DIES.

Was Pastor Of Quincy's Historic Stone Church.

Quincy, Mass.—Rev. Ellery Channing Butler, for many years pastor of the First Unitarian Church, the historic Stone Church of this city, died at his home here. Mr. Butler was a native of Cooperstown, N. Y. One time he was pastor of the Unitarian Church at Fairhaven, and later went to Beverly, preaching for 22 years in the church where President Taft has worshipped during the past two summers.

Child Killed By Cough Drop.

New York.—After a cough drop had become lodged in the throat of his two-year-old nephew, Marco Sibillo took the child in his arms and started in search of a physician. When he reached Sydenham Hospital 15 minutes later a surgeon pronounced the child dead.

GIRL, AGED 12, A SUICIDE.

Grief Over Having No Mother the Cause Assigned.

Louisville, Ky.—Aline House, 12 years old, committed suicide by shooting herself with a revolver at a house a few miles from this city, where she had been making her home. Grief because she had no mother like the other children is supposed to be the cause. Her mother died when she was 2 years old, and her father married again.

PAID TO ESCAPE FROM TITANIC

Englishman and His Wife Objected To the Men Going To the Rescue Of Victims in the Water Crying For Aid.

London.—Evidence that the doors of four water-tight bulkheads had been opened after having been closed from the bridge was introduced at the British wreck commission's inquiry into the loss of the White Star steamer Titanic. This was done, according to Thomas Dillon, of the engineer staff, in order that the engineer crew might reach the pumps. Dillon said that after the water-tight compartments had been closed from the bridge the chief engineer ordered his men to go through four boiler-rooms in order to reach the pumps in boiler-room No. 5. To carry out this order the men were obliged to open the doors of four water-tight bulkheads, and having done so they left the doors open.

The conduct of J. Bruce Ismay, managing director of the International Mercantile Marine, after the casualty was mentioned for the first time during the British investigation and was described by James Johnson, a steward, as having been exemplary.

Johnson, who left the ship in No. 2 emergency boat, a small dingy, was asked why there were not more women in the boat. He replied that they would not get into it. Mr. Ismay, the witness said, tried to induce the women to enter the dingy, but they refused, whereupon he escorted them to larger boats. "He did everything an Englishman could do," Johnson added.

The escape of Sir Cosmo and Lady Duff-Gordon in lifeboat No. 1, which was less than half filled, was inquired into searchingly.

Charles Hendrickson, a fireman of the Titanic, and one of the crew in the boat in question, on being asked why he did not return to the scene of the disaster to try and rescue some of those in the water who were crying for help, said that he suggested that the boat should return, but Sir Cosmo objected on the ground that it would be dangerous. Lady Duff-Gordon agreed with her husband and the boat did not return.

Lord Mersey asked the witness: "You mean to tell me that because two passengers objected the rest of you kept your mouths shut and did not go to the rescue?"

Hendrickson replied: "That's right."

Witness said that Sir Cosmo Duff-Gordon gave each member of the crew of the boat \$25, but he insisted that no arrangement to that effect had been made, and the first heard of a reward was after the lifeboat reached the Carpathia.

Hendrickson had previously testified that his boat, which could hold 34 persons, contained only 12, made up of seven members of the crew and two women and three men passengers. One of the women, witness said, was Lady Duff-Gordon, but he did not know who the other one was.

Other seamen also testified that their boats did not return to the immediate vicinity of the wreck because their passengers feared the boats would be swamped.

TAFT TO BE THERE.

Drafting Of the U. S. Constitution To Be Celebrated.

Philadelphia.—At a meeting here of a committee arranging for a historical pageant to be held in Fairmount Park next October, it became known that President Taft and the governors of the 13 original states have expressed their intention of coming here October 9, to attend the observance of the one hundred and twenty-fifth anniversary of the drafting of the Constitution of the United States.

The observance of the anniversary will take place at Independence Hall, and Chief Justice White, of the United States Supreme Court, will be the orator.

MOSLEMS PLAN HOLY WAR.

Tribe After Tribe In Mohammedan Country Being Fired.

Paris.—The call for all Moslems to participate in a holy war, which was launched at the start of the Turkish-Italian War, is according to the correspondent of the Temps in Tunis, secretly enveloping all Islam and moving steadily from tribe to tribe in every Mohammedan country.

TURKS CLAIM VICTORY.

Italians Reported To Have Been Defeated At Rhodes.

London.—The Governor of the Turkish Island of Rhodes, where Italian troops landed a few days ago, telegraphs: "We have won a victory and have captured 1,000 Italians," according to a special news dispatch dated May 8, from Pera, Turkey.

NEW TRIBUNAL IN DISFAVOR.

House By Large Majority Votes To Abolish the Commerce Court.

Washington.—The House voted 120 to 49 to abolish the United States Court of Commerce, many Republicans voting with the Democrats. Cases now pending before the court, under the abolition provision contained in the Legislative, Executive, Judiciary Appropriation Bill could be transferred to the various district courts having competent jurisdiction.

ALL OVER THE STATE

Notes That Are of Interest to Pennsylvanians.

East Mauch Chunk.—The Borough of East Mauch Chunk has decided to sewer the town, at a cost of \$35,000.

South Bethlehem.—Stephen Parlett is in St. Luke's Hospital with a badly fractured skull, received at Carbondale when he fell fifty feet.

Hereford.—Surveyors started work for the roadbed for the proposed State road between this place and Pottstown.

East Mauch Chunk.—The Civic Club has offered twenty-five dollars toward defraying the expenses of a general clean-up week.

Allentown.—Henry Hersh, head of a stove store, was seriously burned by an explosion of rosin as he was soldering some copper coils.

Allentown.—Cyrus Doll was arrested here and is detained upon the investigation into a charge that he robbed a freight car at Ephrata.

Baumtown.—David Dentzel, employed in a machine works in Birdsboro, had his left hand crushed when a casting fell on it.

South Bethlehem.—The faculty of Lehigh University has decided to permit the students to resume the publication of the "Burr," which was suspended several years ago.

South Bethlehem.—G. A. Roush, of the University of Wisconsin, was appointed assistant professor of metallurgy at Lehigh University to succeed W. S. Landis, who resigned.

Allentown.—The Allentown Board of Health has engaged a force of special inspectors to make people clean up their yards, alleys and cellars.

Slatington.—The Vigilant Hose Company and the Sprongside Hose Company have elected George Warner and Samuel Steckel, president, respectively, of those companies.

Marietta.—Marjory Mackey, five years old, of Lancaster, who was badly bitten by a pet dog, was brought here for treatment for the prevention of rabies.

Mt. Penn.—Thieves made a raid on a row of houses and emptied all the refrigerators, so that four families did not have enough left to make breakfast.

Hauto.—The Lehigh Coal and Navigation Co. has decided to expend one million dollars in the erection of new homes for its employees at its colliery here.

Allentown.—An epidemic of measles in the Lehigh cement regions has reached serious proportions, and not only children, but an unusual number of adults are seriously sick with the malady.

East Mauch Chunk.—W. W. Brown was elected a member of Town Council to fill the vacancy caused by the death of the president, Herman L. Reihman. Malachy Kiggins was elected president.

Allentown.—In spite of an appeal by the Chamber of Commerce the City Council voted down an ordinance to annex the borough of South Allentown, only a few Councilmen favoring the measure.

Allentown.—The annual report of Building Inspector Frank R. Minner shows that during the last fiscal year 623 buildings were erected, costing \$2,200,190, a gain over the previous year of \$636,950.

Harrisburg.—Adam Bollinski, of Hazleton, who was convicted in Federal Court of passing bad money, when sentenced by Judge Witmer, thanked him for his kindness. The sentence was a year in the Luzerne county prison.

Allentown.—August Simon, missing his pocketbook in a drug store, accused Ira Schaffer, a motorman, of having taken it. Schaffer proved his innocence to a policeman, and now Simon has a lawsuit on his hands for false accusation.

Bethlehem.—Miss Florence Keck, of Reading, a seventeen-year-old girl, who arrived at the home of her uncle, Harrison Keck, at Hecktown, to spend several weeks, was taken suddenly ill the day of her arrival, and by nightfall died of congestion of the lungs.

Reading.—William B. Rauenahn, eighty-one years old, died here of hicoughs. He had been sick five weeks. He had been subject to hicoughs for the last nine years, but the last spell lasted longer than any previous attack.

Reading.—Samuel Ganger, fifty-one years old, a barber, while dozing in one of his chairs, was attacked and beaten so badly that he is in a serious condition at the Homeopathic hospital. Samuel Burket, twenty-two years old, his alleged assailant, is in jail in default of bail awaiting the outcome of his victim's injuries.

St. Lawrence.—Thieves entered the residence of A. H. Adams, president of the Exeter Farmers' Union, and blew open his safe. They were greatly disappointed with their work, as Adams had nothing in the safe but papers worthless to them.

Wernersville.—Appraisers fixed the damage for the loss incurred through the death of eleven head of cattle of Samuel Schaeffer and four head of cattle of Garson Bickel, which were killed on orders from the State Live Stock Department. Each will receive forty dollars a cow.