

SEYMOUR IS STILL
CHIEF OF POLICEInjunction Preventing Mc-
Carthy's Man From Serv-
ing Still in Force.

COURT DELAYS DECISION

Judge Intimates That Charter Is Not
Definite, Though Evidently In-
tending to Provide for
Suspension Cases.

SAN FRANCISCO, June 9.—(Special.)—Superior Judge Sewall this afternoon left the entire Chief of Police fight unchanged by taking the untangling of the legal snarl under further advisement, after three hours of argument on both sides. Seymour is still Chief of Police, the injunctions continue in effect prohibiting McCarthy's man, White, from being at the head of the Police Department, and the order still stands prohibiting the Board of Police Commissioners from proceeding with the trial of Seymour tomorrow morning.

Commission's Authority Open.

The argument was long, technical and tedious, and at the end Judge Sewall would not undertake off-hand to give a decision whether the police commission has the power to suspend Seymour, or whether he has the right to inquire into the sufficiency and good faith of the charges made against the head of the department. Theodore A. Bell made almost his entire contention on the authority of the police commission to dismiss and therefore to suspend entirely on its own judgment of the validity of the charges.

Peter F. Dunne in reply laid down the principle that the jurisdiction of the commission depended entirely on the good faith and sufficiency of the accusations and that the court therefore had the authority to inquire into this phase.

Charter Not Clear.

The most interesting feature of the colloquies between Judge and lawyers was the statement made by Judge Sewall, in answer to Bell, in which the court took occasion to raise the point that the municipal charter, while evidently aimed to provide for suspension cases, did not say in concise language.

Bell divided his argument into three sections, asking first that the court decide the question of the validity of the first one issued and which asserted the power of the court to review all the proceedings of the police commission, designed to suspend and remove Seymour.

Bell then asked that the injunction restraining White from doing any act asserting himself to be Chief of Police, should be limited and modified merely to restrain him against the use of force and violence in taking possession of the office and records of the chief.

"Your honor cannot place yourself in the seat of the Police Commissioners," declared Bell, "and pass upon sufficiency of the accusations. If the order prohibiting the Police Commissioners from proceeding with the trial of the Chief of Police is maintained by the court, then it will amount to the nullification of the city's charter."

Commission's Power Defended.

"Mr. Bell has advised your honor," said Dunne, "and I have great respect for Mr. Bell's legal opinions—that the statute which gives the court the power of review over the act of commissions is unconstitutional. If he is right, then the Police Commission is the ultimate tribunal for the trial of this case, no matter what may be the merit of the charges that have been filed. But we contend that this jurisdiction depends entirely on the sufficiency of the charges themselves."

Attorney Dunne took up in turn each of the charges filed by Captain Harry O'Day and declared that they were sufficient to warrant removal or suspension. All the gambling charges he dismissed in a lengthy argument to show that Chief of Police Seymour had no actual and personal knowledge on which he could proceed to file charges against the proprietors of gambling clubs; that his knowledge was gained in the course of his duties and he therefore could not, of his personal knowledge, swear to specific complaints of the infraction of laws.

Charges Are Flouted.

Many of the charges Dunne treated with scant consideration. "I won't waste any time on this point," he said of the charge that Seymour was guilty of wilful and criminal misconduct in refusing for two days to arrest the man who was supposed to have run down and killed the Heilbrunn girl on the Ocean boulevard. "More general allegations," he called the charges that Seymour had wrongfully accused men of the department of incompetency and corruption, thereby impeding discipline and that he had tried to shift the responsibility for lawlessness to his subordinates.

STOCKMEN ENCOURAGED

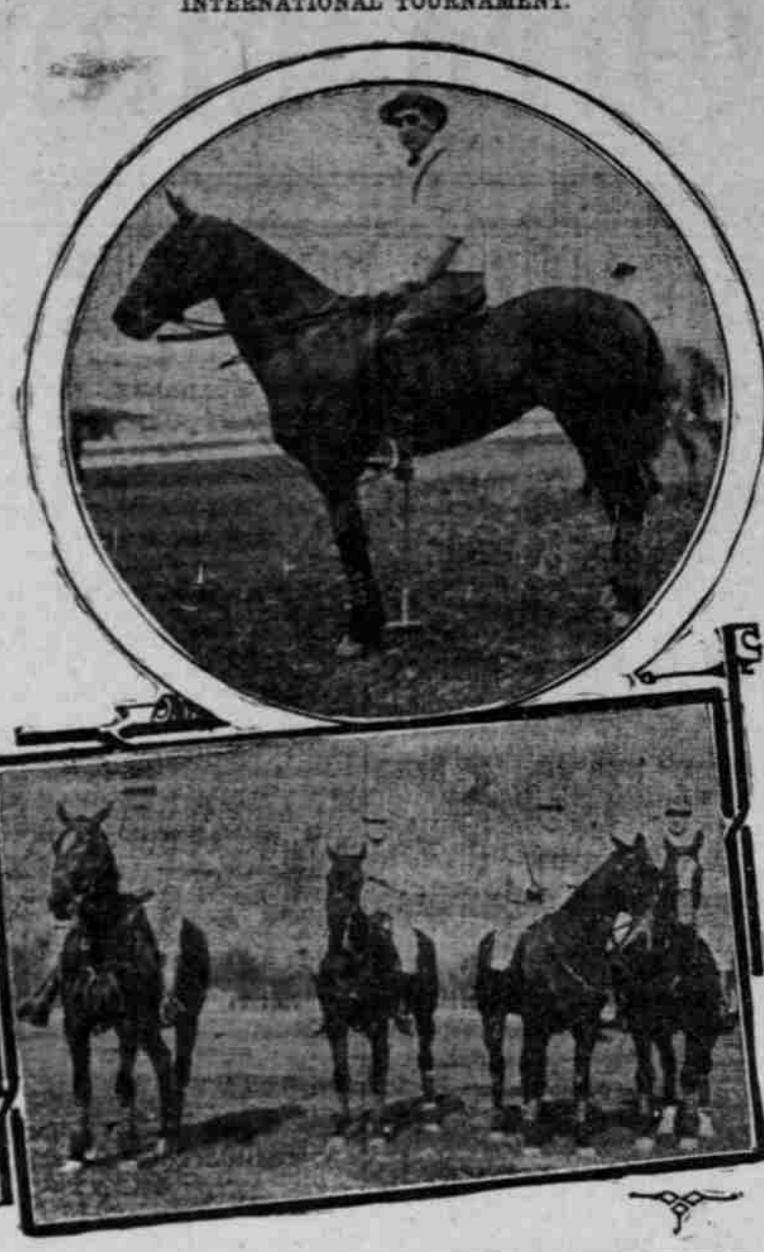
Rain and Warm Weather Has In-
creased Feed in Walla Walla.

WALLA WALLA, Wash., June 9.—(Special.)—Stockmen are preparing to put their cattle further into the mountains and will soon try the highest altitudes on the Wenaha ranges. At present however, the intermediate levels are answering nicely, recent rains and warm weather following, keeping the grass growing better than usual. Rains Wednesday night freshened the pasture lands, and stockmen believe their cattle will come from the ranges in better shape than for years.

The cool weather of the Spring and Summer, together with the unusual amount of precipitation in May, has made the grass far above the usual grade and height at this time of the year. There is plenty of snow in the mountains to supply plenty of water this Summer and both sheepmen and stockmen are well pleased with the outlook.

Fred Mulholland Thought Insane.

SAN FRANCISCO, June 9.—Fred Mulholland, ex-racing judge in Seattle, Butte, Salt Lake and other cities, was examined by the insanity commission here today. Mulholland was taken to the Detention Hospital Thursday by three patrolmen when neighbors said he had become deranged and terrorized the neighborhood. His hearing before the commission was postponed tomorrow.

AMERICAN AND ENGLISH POLO PLAYERS PARTICIPATING IN
INTERNATIONAL TOURNAMENT.

ABOVE, CAPTAIN LESLIE S. C. CHAPPEL, MEMBER OF ENGLISH TEAM.
BELOW (LEFT TO RIGHT), HARRY WATERBURY, MONTE WATERBURY, HARRY PAYNE WHITNEY AND DEVEREUX MILBURN, OF THE AMERICAN TEAM.

AMERICA IS BEST

English Players Are Defeated
in Crucial Match.

VISITORS OUT-MANEUVURED

Home Players Display Work Much
Superior to That Shown in First
Contest, but Exhibition Is
Spirited Throughout.

NEW YORK, June 9.—America crushed England's hope of regaining the international polo cup at Meadowbrook today, where the challenging British cavalry officers were outmaneuvered 6 to 5 goals. Although the final score was half a goal closer than in the first match, the English players were less of a factor, for only once were they on even terms, and that for two minutes about the middle of the game.

Today's American victory gives the Meadowbrook team undisputed possession of the cup until another challenge is received.

The American players seemed like a different team from that in the initial match. Their former nervousness had disappeared. When 5,000 spectators saw the referee throw in the first ball, they were all from his mallet. Another determining factor was the lack of good mounts by the English players.

Against superior horsemanship and team work, the British attack had to be that of neat tapping and hard hitting when the opening was gained. Even then, when the field seemed clear, Milburn frequently would thunder down the field and turn the tide back into England's territory.

Exhibition Match Scheduled.

There will be an exhibition match between some of the English and American players at Meadowbrook tomorrow, and after a brief rest the Britishers will leave for home.

The score and summary:

First period—No. 1, L. Waterbury; No. 2, J. M. Waterbury; No. 3, Harry Payne Whitney; back, Devereux Milburn.

Second period—England—No. 1, Captain L. St. George; No. 2, Lieutenant A. Noel Edwards; No. 3, Captain J. Hardress Lloyd; back, Captain H. H. Wilson.

Summary:

First period—Goal won by Madeby. Time, 3:34.

Second period—Goal won by L. Waterbury. Time, 5:55.

Third period—No goal.

Fourth period—England, Lieutenant Edwards. Time, 7:50.

Fifth period—Goal won by L. Waterbury. Time, 8:11.

Sixth period—Goal won by L. Waterbury. Time, 8:22.

Seventh period—England, Lieutenant Edwards. Time, 8:33.

Eighth period—Goal won by L. Waterbury. Time, 8:44.

Ninth period—England, Lieutenant Edwards. Time, 8:55.

Tenth period—Goal won by L. Waterbury. Time, 9:06.

Final score—America 4½, England 2½.

Reference—R. E. Strawbridge, of Phila-
delphia.

SMELTER STRIKE SPREADS

Resumption of Mining in Mexico Is
Prevented—Railroad Men Out.

TORREON, Mexico, June 9.—The strike at the Asarco smelters continues and is augmented by the strike in the Torreon smelter, to the great detriment of mines in this region, owners of which had expected to resume operations at once. The men are holding out for a 10 per cent increase in wages, which range from \$1.12 to \$7 a day, Mexican money. The management declares the increase will not be granted.

All the firemen, coal passers, boiler-makers, mechanics and car inspectors on the Torreon division of the Mexican International Railway, have struck for their April pay, which was delayed owing to the burning of bridges and the revolution.

Acting Superintendent Cheek yesterday offered the firemen and coal passers five pesos each out of his own pocket, promising their full pay would be here on their return from the first trips. They declined his offer. The railroad has the cash on hand but the payrolls have not been approved.

GATES FIGHTS STANDARD

Oil Rate War in Colorado Reported
Began in Earnest.

DENVER, June 9.—The Times today says: "John D. Rockefeller and John W. Gates, owners of the two greatest oil concerns in America, are preparing to commence a bitter rate war in oil, and the opening gun is to be fired in Denver. The invasion of Denver territory three weeks ago by the Texas Oil Company, owned by Gates, is said to be the cause of the proposed fight."

The trouble between the leading financiers came to a head in Colorado a year ago when the Texas company opened a distributing plant at Pueblo. The rate war that followed with the Standard Oil Company has been confined to Pueblo, but now that its rival has invaded Denver, the Standard is said to be about to begin a general campaign to drive the Gates concern from the state.

TROOPS ORDERED HOME

Withdrawal of Troops From Border
Definitely Begun.

WASHINGTON, June 9.—The second step in the gradual withdrawal of the armed force of the United States from the vicinity of Mexico was taken today. President Taft approved a War Department order which will return to their posts the 4,000 soldiers at Galveston, Tex., and the 1,500 at San Diego, Cal. This movement, which will begin in a few days, follows the withdrawal of the 1,500 marines from Guantanamo, Cuba. The improved situation in Mexico made the withdrawal possible, and it is expected that the next move will be the early withdrawal of the navy vessels assembled at Guantanamo, Cuba San Diego, leaving only the maneuver division, split into several units and distributed through Texas to meet any emergency.

Burlington to Run Through Trains.

CHICAGO, June 9.—By an alliance between the Hill and Gould interests it is announced that the Chicago, Burlington & Quincy Railroad will inaugurate a through passenger service between Chicago and San Francisco on June 11. From Denver the Burlington will route its trains over the Denver & Rio Grande and the Western Pacific.

Yukon River Pilot Dead.

LA CROSSE, Wis., June 9.—Adam Kern, prominent as a steamboat pilot and captain on the Yukon River in Alaska, died here today, aged 45. He formerly was pilot of well-known boats on the Mississippi.

FOLLET'S KIDNEY REMEDY.

It is particularly recommended for chronic cases of kidney and bladder trouble. It tends to adjust and control the kidney and bladder action and is most effective in strengthening and healing. L. McCannell, 117 Calhoun St., Elmira, N. Y., says: "Two bottles did the work most effectively, and proved to me beyond doubt it is the most reliable kidney medicine I have ever taken and it has always have my endorsement." Sold by all druggists.

WARBURTON FINDS
FLAW IN SCHEDULEWashington Insurgent Says
Democrats Fear to Re-
duce Tariff on Wool.

REVENUE PLEA FLOUTED

Democrats, New Member Declares,
Are Adopting Republican Theory
of Protection in Fear of Out-
come of Elections.

WASHINGTON, June 9.—Representative Warburton, of Washington, a newly-elected Republican insurgent, charged Congress today with letting millions of dollars go to waste that it might collect in internal revenue taxes on tobacco. He attacked the pending wool tariff revision offered by the Democrats, saying their plea of needing revenue was not a serious argument for keeping high duties on woolen goods.

Mr. Warburton said the Democrats had been afraid to reduce the duties on wool any further for fear of the consequence at the next election. If the woolen industry was prostrated by the removal of protection. He said the Democrats had been compelled to adopt the Republican doctrine of protection and excused themselves on the ground of needing revenue.

Sugar and Tobacco Compared.

"An in the meantime," said Mr. Warburton, "American people are paying six times as much tax to the Government on sugar as they are on 6-cent cigars. 12 times as much on sugar as on 10-cent cigars, 30 times as much on sugar as on 25-cent cigars and 60 times as much on sugar as on 50-cent cigars."

Representative Peters, of Massachusetts, a Democratic member of the ways and means committee, said that wool and woolen goods would have been made free but for the necessity of revenues. He said the duties had been placed as low as consistent with securing enough revenue to run the Government.

Mormon President to Testify.

The House committee to investigate the American Sugar Refining Company has decided to summon Joseph Smith, president of the Mormon Church, to tell what he knows of the dealings of the so-called sugar trust with the best sugar interests, controlled by the church.

Subpoenas will be issued for leading best sugar men in the West. Chairman Hardwick, of the committee, said the committee would begin public hearings Monday with the testimony of the Eastern sugar men and that President Smith and other Western men would not be heard until the Eastern witnesses had finished.

ENGINE WRECKS TRAIN

ONE KILLED, 20 INJURED, IN
COLLISION ON SANTA FE.

Man Accused of Disobeying Orders
Is Victim—Steel Cars Pro-
tect Passengers.

ALBUQUERQUE, N. M., June 9.—One man was killed and 20 were injured this morning at 10 o'clock when the west-bound Santa Fe limited dished into a light engine near Domingo, N. M., 30 miles north of Albuquerque. A. W. Green, engineer of the light engine, was the victim. Half the injured persons are employees of the railroad.

Railroad officials attribute the wreck to disobedience of orders by the engineer of the light engine. Both were traveling at high speed when the crash occurred, but the solid steel cars of the limited withstood the shock well, and while the passengers were badly shaken, it is not believed that any of them are mortally hurt.

Relief trains were dispatched from Albuquerque and the injured were brought here and taken to St. Joseph's Hospital. Traffic was blocked 12 hours.

PENSION PLANS ADOPTED

Electric Light Workmen to Share in
Employers' Profits.

NEW YORK, June 9.—The complete welfare programme of the National Electric Light Association, as finally approved by the convention here, calls for old age pensions, death benefits, free accident and life insurance and the establishment of a savings and investment fund for employees. The programme is the most far-reaching of its kind ever adopted. Nearly 500,000 men and women in the employ of electric companies will be benefited by the profit-sharing plan which it is designed to carry out.

The programme was prepared by two of the executive officers of several of the largest corporations represented in the association, and was adopted without a dissenting vote.

Charles Nagel, Secretary of Commerce and Labor, declared that the welfare plan is "the longest step yet taken by capital in this country to deal squarely and rationally with labor, a step which will go far toward averting an industrial revolution in this country."

HARVARD MEN IN REUNION

Classes Dating Back to '55 Repr-
esented at Minneapolis.

MINNEAPOLIS, June 9.—Harvard men of classes dating '55 to '10 and coming from all over the country, with one member from China and another expected from Japan, attended the first session of the annual convention of Associated Harvard Clubs at the Hotel Radisson today.

The meeting was attended by 200 members, including President Lowell, of Harvard; M. P. Pollanabes, President of the Associated Clubs, and Howard Elliott, president of the Northern Pacific. Among those attending was Dr.

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M. R. Edwards, head of the Harvard Medical School, Shanghai.

"China undoubtedly has awakened," he said, "and I look for no yellow peril in the military sense. China is naturally peaceful and industrious."

Buyer of Typewriter Indicted.

ASTORIA, Or., June 9.—(Special.)—Walter Hieno was arrested today on an indictment charging him with larceny by bailment. He was committed to jail in default of \$150 bonds. Hieno is accused of having bought a typewriter on the installment plan and sold it without paying for the machine.

YOUR NEIGHBOR'S EXPERIENCE.

How you may profit by it. Take Foley Kidney Pills. Mrs. E. G. Whitling, 380 Wilbur St., Astoria, O., says: "For some time I had a very serious case of kidney trouble and I suffered with backaches and dizzy headaches. I had speaks floating before my eyes and I felt all tired out and miserable. I saw Foley Kidney Pills advertised and got a bottle and took them according to directions and results showed almost at once. The pain and dizzy headaches left me, my eye-sight became clear and today I can say I am a well woman, thanks to Foley Kidney Pills. Sold by all druggists."

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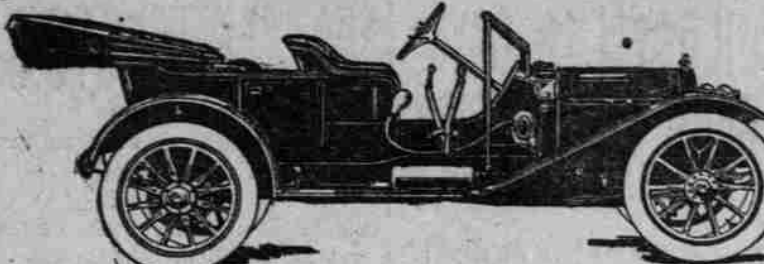
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PIERCE—1910 model, 6-cylinder, 36 H.P., 5-passenger, top, front, speedometer, seat covers and clock. \$3000.

REO—2-cylinder, 5-passenger. \$250.

CADILLAC—Single-cylinder, 5-passenger, equipped with top. \$250.

CADILLAC "30"—1909, 5-passenger, equipped with top, front and speedometer. \$850.

CHALMERS—1910, "30," equipped with mohair top and front. \$1000.

CADILLAC—Model "G" Roadster, equipped with top, front, speedometer, demountable rims, one extra tire and tube, Rohrbacher pump, full electric lighted.

PIERCE—1910, 7-passenger, 6-cylinder, 48 H.P., thoroughly overhauled, repainted, 1911 fenders, equipped with top, front, Warner speedometer, complete new set of tires. This car is being offered at a price which should move it immediately.

PIERCE—1910, 6-cylinder, 48 H.P., 4-passenger, top, glass front, speedometer. Completely overhauled and is now being painted in our shop. Can be seen by prospective purchasers.

FRANKLIN—Model "D," 5-passenger, top, front, speedometer and clock. Recently overhauled. \$850.

MARMON—5-passenger, 30 H.P., top, front and speedometer. This is a high-class car, and being offered at a very low price.

MAXWELL—1909, 30 H.P., 4-cylinder, top, glass front, speedometer, electric lighted and Prestolite tank. Price \$850. Considering the equipment, this is a remarkably low price.

BUICK—2-cylinder, top, front, speedometer and tire chains. Price \$400.

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