

BURNS SET FREE; CALLED PATRIOT

Kidnaping Charge Dismissed, With Commendatory Remarks by Federal Judge.

M'NAMARA, ARREST LEGAL

Court Would Apologize if It Had Been Concerned in Proceedings Against Detective — Hosick to Be Discharged.

INDIANAPOLIS, Jan. 11.—Commended by the Federal Court for having rendered a great service to his country, W. J. Burns, the detective, today was released from the charge of having kidnaped J. J. McNamara, the convicted dynamiter. All the charges in the indictment against Burns for having captured and labor leader in Indianapolis last April and taking him to California for trial were held to be null and void.

"If I or this court had had anything to do with the arrest of Mr. Burns in this instance, I should certainly now tender him an apology," said Judge Anderson in dismissing the indictments brought by the county grand jury.

"The order which the court shall enter will make it impossible for any prosecutions to be brought under the indictment."

Arrest Made Legally.

The court held that when Burns and James Hosick, a detective of Los Angeles, arrested McNamara on a requisition from the Governor of California and honored by the Governor of Indiana, they acted legally under the Federal statutes, and any conflict in the State law with the Federal law, which made it possible to bring an indictment, was not constitutional. The Federal Constitution and Congress, the court said, had delegated to the Governor of Indiana the power of honoring requisitions for fugitives from justice and the Indiana Legislature had no legal right to take this power from the Governor and send it to the corners of a County Judge. The indictments against Burns and Hosick had alleged McNamara was denied a right to rest extradition in a County Court.

Hosick Will Be Discharged.

Judge Anderson indicated that if Hosick, who also was indicted, petitioned for release it would be granted. Detective Burns in a statement said: "Ever since McNamara was arrested, I have tended there was no justification in prosecuting me. Then I repeatedly asked for a prompt trial, but this was denied by the County Authorities. At the time regarded as an attempt to hamper my activities at Los Angeles, I am still working on this dynamic conspiracy and constantly turning up more evidence. I am asserting everywhere that organized labor will not be injured by the present proceedings, for it will be a benefit to labor to have it purged of corrupt political leaders."

Witnesses presumed to have information as to the identity of persons responsible for explosions in open shops in Boston and Springfield, Mass., and Hoboken, N. J., also were examined by the Federal grand jury today.

SIX UNION MEN IMPLICATED

State's Star Witness Tells of Work of "Wrecking Crews."

LOS ANGELES, Jan. 11.—Six union labor men, all members of the committee which directed the strike of structural iron workers in this city, last year, were charged today by J. Mansell Parks, a star witness for the state in the trial of Bert H. Conners, with having been constantly turning up more evidence. I am asserting everywhere that organized labor will not be injured by the present proceedings, for it will be a benefit to labor to have it purged of corrupt political leaders."

All Smile Together.

"Don't you think it rather unusual," Representative Beal asked, "that so many of these great business men were ignorant of the laws?"

Now, don't you believe that some men in the Carnegie Company know they were violating the law?"

"Now, Mr. Beal, when you say that I can see in your face an irresistible smile."

LAIRD KNEW NOT THE LAW

(Continued From First Page.)

He was of the firm of Knox & Reed—J. H. Reed."

Mr. Reed was sitting at Mr. Carnegie's side, appearing as his counsel.

"Was Philander C. Knox counsel for the company between the years 1890 and 1897?"

Mr. Carnegie whispered to Mr. Reed and then answered that he was.

Sherman Law Overlooked.

"During all that period did Mr. Knox or any of your counselors advise you of the existence of the Sherman anti-trust law, passed in 1890, and that such laws as your company participated in were unlawful?"

"I never heard a word from any of them," Mr. Carnegie said, "and I don't think they understood that the Sherman law had anything to do with our business. I had heard somewhere of the Sherman law, but thought it applied only to railroads."

"Wasn't it the duty of your legal advisers to keep your company advised as to the laws passed by Congress and the states?" Mr. McGillivuddy asked.

"It supposes that they would consult with the officials of the company," I the reply. "I never was an officer."

"What did you have attorneys for?"

"To appeal in case of suits."

"Now, Mr. Carnegie, as principal owner of the Carnegie Steel Company, far which Philander C. Knox was the principal attorney, would you have ex-

DETECTIVE WHOM FEDERAL JUDGE COMMENDS FOR GREAT SERVICE TO HIS COUNTRY.



WILLIAM J. BURNS, SKETCHED FROM LIFE.

pected him to inform you about legislation as important as the Sherman anti-trust law?"

Carnegie Simple Stockholder.

"No, sir, I had no relations with these gentlemen. I was simply a holder of stocks. Was I, as such, to be bothered by these lawyers when I had a man to run the business?"

"Then you were left in absolute ignorance as to the effect of the Sherman law?"

"Yes, sir."

"Mr. Carnegie," Representative McGillivuddy continued, "I would recommend to President McKinley, after his election in 1890, that this same attorney, Philander C. Knox, who left you in blissful ignorance all these years about the effect of the Sherman law, be appointed Attorney-General of the United States?"

Mr. Carnegie looked at his questioner for a moment in the silence. He started to speak, then, turning suddenly to Attorney Reed, he exclaimed:

"Did I judge?"

Mr. Reed, almost in a whisper, and with a smile on his face, replied: "Yes, you wrote a letter to the President about Knox's appointment."

Knox Partner in Trust.

"Now, Mr. Carnegie," Mr. McGillivuddy went on, "after your experience with that attorney who did not let you know about the laws you ought to have known about, you recommended him as a proper and fit man for the Attorney-General of the United States?"

"Yes, I did," Mr. Carnegie replied, "but I object to the form of your question. You ask, 'after my experience, I had no experience with Mr. Knox, so far as the corporation was concerned, Mr. Knox had no official relations with me.'"

"About the same time that Mr. Knox was a partner in the Carnegie Company, did his partner, Mr. Reed, go into the directorate of the United States Steel Corporation?" Mr. McGillivuddy asked.

Mr. Carnegie replied to his client, replied that he did.

Before the ironmaster was asked as to his views on the tariff, several members of the committee heeded him when he said: "I am ignorant of the law, and myself about the law."

"All Smile Together."

"Don't you think it rather unusual," Representative Beal asked, "that so many of these great business men were ignorant of the laws?"

"No."

"Now, don't you believe that some men in the Carnegie Company know they were violating the law?"

"Now, Mr. Beal, when you say that I can see in your face an irresistible smile."

"I see you are smiling, too," the legislator answered.

"Yes, let's smile together, you with me."

"But not a villain still," Mr. Beal retorted.

Mr. Carnegie told the committee he believed there was no necessity for a protective tariff on steel.

"I had been outgrown long ago."

"I had consistently advocated reduction in the tariff by Congress," he said, "and I told President McKinley just before he went to Buffalo to make his reciprocity speech in 1891 that America needed no tariff on steel."

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OPPOSITION IS STIRRED

LOGE AMENDMENTS DO NOT PLEASE DEMOCRATS.

Republicans by Themselves Have Not Strength to Get Lodge Changes in Treaties Through Senate.

WASHINGTON, Jan. 11.—The Lodge amendment to the resolution for ratification of the arbitration treaties with Great Britain and France has stirred up the expected opposition from Democratic Senators. It is favored, however, by three-fourths of the Republican Senators, who accept it as a happy compromise of all differences. The amendment was introduced by the President in executive session of the Senate today.

Before the Lodge modification was suggested, seven or eight Democratic Senators had indicated a willingness to support the treaties, some without amendment and some with amendments which would reserve for arbitration all questions involving strictly American questions. Those Democrats, however, took the position today that the Lodge amendment conflicted with the treaties themselves.

The Republican Senators are not strong enough to put through the treaties without considerable Democratic assistance. Senators Rayner and Williams are favorable to them without any modification.

Senator Rayner announced today his intention of provoking a general discussion on the treaties some day next week.

The text of the Lodge amendment to the ratification resolution follows:

The Senate advises and consents to the ratification of the treaty with the understanding that the reservation in article three of the treaty shall be made by the President, subject to the advice and consent of the Senate and with the further understanding that the reservation in article three of the treaty shall be made by the President in each case shall be made by the President and with the advice and consent of the Senate means the concurrence of the Senate in the full exercise of its constitutional powers in respect to every special agreement whether submitted to the Senate as the result of the report of a joint high commission of inquiry under article three or otherwise.

Warburton Also Rejected.

Following the defeat of Representative Underwood for the committee place, the House elected Mr. Campbell. The insurgent representation on the rules committee was thus reduced to one, Representative Leavort, of Wisconsin.

Representative Norris followed his first defeat with a resolution for the appointment of Representative Warburton, of Washington, insurgent, as a member of the special sugar investigating committee of which the late Representative Madison also was a member. This resolution was tabled on the motion of Democratic Leader Underwood, 167 to 21.

The insurgents could not muster enough votes to force a rollcall on the question.

REPUBLICAN RACE NARROWS

(Continued From First Page.)

The country believe that La Follette entered the field with no expectation of being nominated, but solely to crystallize sentiment in the interest of Roosevelt. This is strange talk. In view of the fact that the La Follette bureau never commended Roosevelt up to a week ago, and in view of the further fact that the La Follette bureau called on the Colonel a month ago to inform the country that "under no circumstances" would he accept the nomination.

The breach between La Follette and Roosevelt, following the Colonel's refusal to issue an "unhurried" no-circumstances declaration, was well and widely known. But now the La Follette bureau wants the country to know that it, led by La Follette, was working for Roosevelt all the time.

Lines Distinctly Drawn.

President Taft has let it be known that he will not withdraw from the race, and it appears to be equally certain that Colonel Roosevelt will not make any statement to the effect that he will decline the nomination, if it is offered him. Therefore, if the present situation remains unchanged, the Roosevelt forces will be arrayed against the Taft forces when the convention assembles, and the delegates will choose between these two leaders. By maintaining absolute silence, Col-

GOODWIN GIVES MORTGAGE

Actor Obligated to Raise Money to Pay Settlement on ex-Wife.

SAN FRANCISCO, Jan. 11.—A mortgage of \$25,000 was placed on an apartment-house owned by Nat C. Goodwin here yesterday, as part of the settlement of \$55,000 which the actor agreed to make on his divorced wife, Edna Goodrich.

The first payment of the \$55,000 was made by Mr. Goodwin last month, when he sent \$15,000 to Miss Goodrich's New York attorneys. He must pay \$20,000 more this week. The final payment will be due in April, with \$5,000 additional fees for the attorneys, and \$5,000 for the trustee, T. H. Dudley, of Los Angeles, appointed by the court.

Mrs. McManigal Gets Children.

CHICAGO, Jan. 11.—The two children of Orrie McManigal were awarded temporarily to the custody of their mother, Mrs. Emma McManigal today, who some months ago began divorce proceedings here.

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INSURGENTS MEET DEFEAT IN HOUSE

Caucus Method of Selecting Committees Attacked. Norris Leads Fight.

WARBURTON TURNED DOWN

Resolution to Place Washington Member on Special Sugar Investigating Committee Is Rejected, 167 to 21.

WASHINGTON, Jan. 11.—Republican insurgents met defeat in the House today in an attempt to upset Republican Leader Mann's power to name Republican candidates for places on the House committees.

Led by Representative Norris, of Nebraska, who waged the great rules fight of the previous Congress, the insurgents tried to set aside Mr. Mann's nomination of Phillip B. Campbell, of Kansas, regular, to succeed the late E. H. Madison, insurgent, on the committee on rules, and to nominate in his place Victor Murdock, of Kansas, insurgent.

Attempt Is Voted Down.

Opposed by both Democratic and Republican leaders, the insurgent attempt was beaten by a vote of 167 to 107. Of the 167 votes cast in favor of Mr. Murdock, 25 were Republican and 81 Democratic.

The Republicans who favor substituting Mr. Murdock's name for that of Mr. Campbell were: Aikin, New York; Cooper, Davidson, Carey, East, Leavort, Morse and Nelson, Wisconsin; Anderson, Davis and Lindbergh, Minnesota; French, Idaho; Haugen, Hubbard, Woods, Green and Prouty, Iowa; Helgeson, North Dakota; Laferty, Oregon; La Follette and Warburton, Washington; Norris, Nebraska; Rees, Young and Jackson, Kansas; Stephens, California.

The nomination of Murdock by Norris came after the nomination of Campbell by Democratic Leader Underwood, who informed the House that Mr. Campbell's name had been presented to him by Mr. Mann.

Underwood Aids Republicans.

Mr. Underwood exhorted the Democrats to uphold the Republican leader whom the Republican caucus had empowered to select committee members from the Republican side.

Representative Norris attacked both the caucus method of selecting committees and the right of either party to prevent opening nominations on the floor. Mr. Underwood declared nominations from the floor of the House would destroy completely the balance of committees and that the authority of someone to pass on appointments must be recognized.

Notwithstanding this attitude, many Democrats voted with the insurgents.

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SECOND WEEK OF CLEAN SWEEP SALE

Today commences the second week of our Clean-Sweep Sale. Our sale has been a success because it's genuine. It's true, the assortment is getting less daily, but there's no doubt, we can suit you. CALL TODAY. If we have the suit or coat you want—GET IT. If you haven't the money, we can arrange terms. YOUR CREDIT IS GOOD.

SELLING OUT OUR ENTIRE STOCK.

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YOUR CREDIT IS GOOD WHY NOT USE IT?

Extra Specials

LADIES' SUITS AND COATS

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\$11.85

CASH OR CREDIT.

MEN'S SUITS AND COATS

\$25.00, \$27.50, \$30.00 VALUES

\$18.75

CASH OR CREDIT.

YOUR CREDIT IS GOOD WHY NOT USE IT?

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Scarfs, Coats Shawls, Muffs

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Made up in all the rarest and most dependable Furs, with the Silverfield guarantee of finest workmanship. Investigate

Most Reliable Finest Skins Best Styles Best Workmanship

one Roosevelt is doing two things; he is enabling his friends to carry forward the movement they inaugurated in his behalf, and he is absolutely disrupting the La Follette and all other anti-Taft movements within the Republican party. The anti-Taft Republicans are being pulled together, such as might have resulted had La Follette remained a factor, is past.

In the last analysis, Roosevelt will be in a position, if he so desires, to indicate his desire that Taft be nominated, in which event he can swing a large part of whatever following he may have. On the other hand, if he maintains silence to the end, and lets

the convention choose between Taft and himself, he will abide by the vote of the convention, as will Taft. If Taft is nominated, he will have Roosevelt's support, and vice versa.

Explosion Hurts School Janitor.

A gas explosion in the furnace at the Hawthorne School yesterday afternoon at 2 o'clock blew open the furnace doors and slightly injured the janitor, F. J. Darsey. He was regulating the furnace at the time and one of the doors struck his head.

Hammond, Ind., Jan. 11.—Charles Butowits began a jail sentence of 100 days here today for spanking his 15-year-old wife with a strap. Butowits told Judge Green, who sentenced him

that he thought this was a free country and he believed he had a right to spank his wife if he wanted to.

Wife Spanker Sent to Jail.

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