



YANKEES IN HOT PROTEST

Aren't Getting Fair Show in Olympic Games

WORST DECISION YET

Carpenter of Cornwall Disqualified After Winning in 400 Meter Race

AMERICANS ARE VERY ANGRY

Cornell Man Won Out in Brilliant Manner But Judges Said he "Pocketed" the English Runner, But This is Vigorously Denied.

YESTERDAY'S FINALS.

200 meter flat race—Kerr, Canada; Cloughen, Irish-American A. C., second; N. J. Cartmell, University of Pennsylvania, third. Time, 22 1/2 seconds.

Catch-as-catch-can heavyweight, to 161 pounds, wrestling—O. Kelly, United Kingdom, beat Gunderson, Norway.

Standing high jump—Ewry, New York A. C., five feet two inches.

400 meter flat race—Carpenter, Cornell, wins, with Robinson, Cambridge second; Hallswelle, United Kingdom, third, and Taylor, Irish-American A. C., fourth. No race, because officials said Carpenter had "bored" Hallswelle. Carpenter disqualified. Americans decline to re-run race.

LONDON, July 23.—In the final of the 400 meter flat race, J. C. Carpenter, Cornell University, came in first. A sensation was created when the officials declared it was no race. This decision was reached on the ground that Carpenter had "bored" Hallswelle, the English runner. Boring is the English term for "pocketing." W. C. Robins, Cambridge University, was second; Hallswelle, third, and J. B. Taylor, Irish-American A. C., fourth. Matthew P. Halpin, manager of the American team, says the Americans will not run the race over.

As soon as the decision of the officials was made known, the grandstands were in an uproar, the Englishmen cheering the announcement and the Americans hooting it. The "boring" is alleged to have occurred at the corner, coming into the stretch. To the spectators it seemed impossible. They could not see how Carpenter, who had the post, could avoid coming out a little, as the men already had started to sprint. The judge's decision in the matter is as follows: "The judges decide that the race is void, and they order the same to be re-run in strings on Saturday afternoon. Carpenter is disqualified."

"Highway robbery is pretty strong language," said Trainer Murphy, "but there are no other words for it. I have been up against the English officials for years, and it has always been the same story—they would have robbed us of everything if they could. The race was a perfectly fair one. Carpenter had the right of way and Hallswelle should have come behind him. Both Carpenter and Robinson had the Englishman beaten from the crack of the pistol, and the English officials could not bear to see their own man beaten in a race which they had counted on winning."

"Of course, Carpenter went out a little at the turn. How could he help it with the speed he was making. Why, he finished in 47 1/2 seconds. It is all nonsense to talk about fouling."

There is one satisfaction to me, however, it shows what the boasted 'fairest sportsmen' in the world will do to win. It proves what I always have said, that these Englishmen will do anything to prevent an American, or anybody besides their own people, winning a race. You bet they won't run it over, and if I had my way every American athlete at the stadium would leave here right away and never return to this arena or to England."

Mr. Sullivan, who was backed by Joseph B. McCabe and the other members of the American committee, said: "Both Robbins and Carpenter had Hallswelle run off his legs and they could have won as they liked. We have filed a protest with the Olympic committee and won't run the race over. The men, however, will continue in the other events."

Robbins, who comes from Cambridge, Mass., and who ran second to Carpenter, said: "I was ahead until we reached the turn, having taken the pole from Carpenter. Quite naturally, I went out a bit and Carpenter, who was at my shoulder, did likewise, but Hallswelle had lots of room. I don't think Hallswelle had any complaint to make; it was an inspector at the corner who could not stand seeing his countryman defeated."

J. B. Taylor, Irish-American A. C. who was behind the others when he was pulled off the track by the inspector, said: "There was absolutely no sign of any unfairness."

The committee of the British Olympic Association called a meeting immediately to consider the American protest.

Hallswelle was brought before the committee and stated his case. Neither Carpenter nor Robbins was called before the committee. Carpenter, when questioned, said simply: "I won fairly and squarely. I never diverged from my path one bit more than was necessary, and I did not get any way near Hallswelle."

FOR GREAT HARBOR

Stupendous Plans are Contemplated in Frisco Bay

WOULD SPEND MILLIONS

Federal Engineers Prepare Report Which Recommends Expenditure Of \$43,284,195, Increasing Berth Facilities To 47 Miles In Length.

SA FRANCISCO, July 23.—A report which will soon be submitted to Gov. Gillett, Mayor Taylor and the Board of Harbor Commissioners, has been prepared by Luther Wagener and Col. W. H. Heuer, U. S. A., the engineers who are planning a Greater San Francisco harbor. The report recommends the expenditure of \$43,284,195 and the issuing of 75 year bonds instead of 20 year as is the usual custom.

The engineers recommend that the harbor line be moved east and bayward 150 feet. This would include 145 acres of warehouse space and the present berth facilities of 8.3 miles would be increased to 47 miles in length. The suggestion is made that an incline be established at the foot of Market street so that car traffic will be upraised and that an elevated loop be built.

It is also suggested that an effort be made to purchase Yerba Buena Island from the Federal government and level it off until there would be a horizontal plane of 10 feet above water. This would create over 600 acres where railroad terminal facilities might be provided. A steel bridge is recommended from the Alameda shore to the island, thus bringing the railroad depot within one and one half miles of this city.

IT ENRICHES ROCKEFELLER

Standard Oil Stocks Take Big Jump

TIP HAD GONE OUT

Reversal of Judge Landis' Decision Meant a Market Gift of \$15,000,000

SOMEBODY SEEMED TO KNOW

Stock of the Standard Corporation Has Been Going up in a Most Sensational Manner For a Week, and it Looks Like a "Leak."

CHICAGO, July 23.—The Standard Oil decision reversing Judge Landis' \$29,000,000 fine is a market gift of \$15,000,000 to John D. Rockefeller. Standard Oil Stock went up 48 points in a week. Whatever influences may have been responsible, it is a fact that within the past week, when it was known that a decision by the United States Court of Appeals was to be given shortly, the stock of that corporation has been going up in a most sensational manner. At the time when the Court of Appeals had the case in hand and its decision was all but ready for the public. Standard Oil stock shot up in a manner to indicate confidence on the part of the oil magnates that there was no danger of an adverse decision by the court.

The gain scored by Standard Oil stock in the week ending yesterday when it was quoted at 660 on the New York curb, totalled 48 points, a record not approached by anything listed in the New York Stock Exchange, and the singular movement of this stock within the past few days has given rise to a good deal of speculation, for never at any moment during the pendency of the case did there seem to be any weakening or wavering in Standard Oil stock.

Yesterday Standard Oil jumped from 640 to 660, and today there was an advance to 665, which is the highest point reached by this security since 1906, when the high point was 700. Since January of this year Standard Oil has had a generally upward course, but there were no sensational movements of the stock until recently. Now it is jumping and it is not at all improbable that it will go to or beyond the high points of 1905 and 1906, which were 703 and 700, respectively. The high level for the stock in 1907 was 564.

United States District Attorney Sims today announced positively that

a petition for a rehearing in the case of the Government against the Standard Oil Company of Indiana decided adversely to the government by Judge Grosscup yesterday, would be filed. Mr. Sims today received the following telegram from Mr. Bonaparte:

"I feel that you and your associates have done everything possible to protect the interests of the government and promote justice. I will write fully as soon as the opinion comes to hand."

It was learned in New York today through sources identified with the Standard Oil Company that the \$29,240,000 case is not likely to go to the Supreme Court of the United States. Nor is it believed the case will be retried before Judge Landis, as the Standard Oil Company would protest against it, and ask that some other judge sit in the case. The issues involve no constitutional questions such as are necessary to take the action to the supreme court.

Judge Peter S. Grosscup's early retirement from the Federal bench was the reason given and generally accepted today for the quick decision of the Federal Court of Appeals in the Standard Oil case. The report was to the effect that the judge desired to clear up his docket so that he could resign and practice law as soon as possible. That the judge has been anxious for some time to leave the bench and return to private practice has been known to his close friends. The bench has nothing more to offer him in the way of honors, the work has become irksome, and the pay is unquestionably small compared with what he could earn at the bar, especially in corporation law. It is now asserted in legal and business circles that he may be able to get out this summer or early autumn so that his successor can take hold when the court opens in October.

BOYCOTT STILL ON

Kagu Maru Reaches Victoria With No Chinese

WON'T USE JAP VESSEL

A Chinese Steamship Company Proposed to Establish Trans-Pacific Lines Similar To The Nippon Kaisha Is Backed By Chinese.

VICTORIA, B. C., July 23.—The Steamer Haga Maru reached port last night. She had a heavy blow when near the meridian and some of her starboard rail was bent.

The boycott which is proceeding at Hongkong and throughout China was responsible for the fact that there were no Chinese among the passengers. Two cargoes consisting of 3,500 tons included tea, rice, instating, curios and general freight. Prof. G. Katera, a professor of harbors of this engineering came to make an inspection of harbors of this continent.

ELECTRIC STORM KILLS 6— MANY HURT BY LIGHTNING

GETTSBURG, July 23.—As a result of a terrific electric storm which passed over Pennsylvania, the National Guard encampment here tonight it is reported that at least six troopers have been killed and two score injured, some of them seriously, by being struck by lightning. The camp is flooded and telegraphic service practically at a standstill. The entire camp is panic stricken. The darkness is impenetrable and the men are wildly running about through the

water seeking the injured. Every tent of battery "B" was blown down but no one in the battery is hurt. The regiment guard tent, of the Tenth Regiment, was struck by lightning and 40 men of company "C" are badly injured. The field hospital is filled and the men are lying about the camp waiting for aid. The Y. M. C. A. tent which was filled with men and were taken there during the storm was razed to the ground but so far as is known no one was seriously injured.

EBERHARD CAPTURED

Man Who Killed and Robbed His Aunt

CONFESSES THE MURDER

Said He Needed Aunt's Money to Marry Girl He Was in Love With

PLANNED TO KILL COUSIN

Explains Crime in All Its Grossest Details—Leads Police to Spot Where he Buried the Money Stolen.

NEW YORK, July 23.—

Drawn back to the scene of his crime by the force he could not resist, August Eberhard, the self-confessed murderer of his aunt, Mrs. Otillie Eberhard, a Viennese widow, whom he lured to a lonely spot in New Jersey a few days ago, and shot to death, was captured today near Patterson and is now a prisoner in Hackensack jail. The reason for Eberhard committing the crime was that he was in love with a New York girl and that he needed money to marry her. Knowing that his aunt had \$2500 he plotted to kill her and to steal the money. Eberhard says he also intended to kill his pretty cousin, Otillie Eberhard, to whom he is engaged, so nothing would stand in the way of his marriage to the New York girl. The police have the name of the girl and she will be brought to Hackensack to tell what she knows of the murder. Eberhard was found lying on the lawn of a residence just outside of Patterson. There was an ugly wound in his leg, which the murderer first said was made by Italians who attacked him. He afterwards admitted it was inflicted by himself to deceive the police. Eberhard did not immediately confess. When first questioned he told an ingeniously connected tale of having been attacked by Italians and that he tried to defend his aunt from them. He said he was shot in the leg by them and after that remembered nothing until he came to his senses in the Breakneck Mountains. An important point in his confession is the statement that he had an accomplice. He said however that his accomplice had nothing to do with the killing of Mrs. Eberhard. This man has fled to the west. The police have his name also. Eberhard told the police he had planned the murder two months ago. He wrote many letters to his aunt and to induce her to leave her home in Germany, he even promised to marry her daughter and make a comfortable home for her here. Eberhard then recounted the killing of the woman in all its gruesome detail. He told where he had buried the money he robbed his aunt of and led the police to the spot where \$2400 was found buried.

MUST SUFFER PENALTY. Roosevelt Says the Prosecution of Standard Oil Must Proceed. OYSTER BAY, July 23.—President Roosevelt announced today in unmistakable terms the determination of the administration to proceed with the prosecution of the Standard Oil case despite the decision adverse to the government, which was handed down by the circuit court of appeals

at Chicago yesterday. This decision, the president thinks, in no way affects the merits of the case and he makes known his decision to cause action to be brought again before the courts in such shape if possible to prevent technicalities, interfering with the decision based on the actual issues involved.

To use the language of the statement issued by Secretary Loeb:

"The President would regard it as a gross miscarriage of justice if through any technicalities of any kind, the defendant escaped punishment which would have unquestionably been meter out to any weaker defendant, who had been guilty of such an offense."

Judge Taft was a guest of the president at Sagamore Hill for several hours today, arriving at three this afternoon.

During Taft's visit his speech of acceptance was discussed with the president and Secretary Root, who also are guests of the president. Taft left Oyster Bay in an automobile for New York where he will spend the night. No statement regarding the conference was given out.

BAD MAN CAUGHT DEAD.

One of the Desperados in the Boston Shooting Up.

BOSTON, July 23.—After three deadly battles between three desperados, the police and a small army of citizens, the first encounter being late Tuesday night in a barroom, the second last night in the peaceful streets of Jamaica Plains, and the third early today in the quiet of a cemetery, one of the bandits was riddled with a hundred bullets and killed, a second, believed to be wounded, was being searched for in the cemetery today, while a third was taken last evening in the south station.

RACE WAR BEGUN

Five Hundred Italians Threaten Louisiana Village

NEGROES AREN'T INVOLVED

Foreigners Send Word That They Will Wipe Out The Town, And Whites Are Patrolling The Streets In Expectation Of Trouble.

NATALBANY, La., July 23.—The Italians have gathered 500 strong here and have sent word before daylight to wipe out the inhabitants of this town. Armed guards are patrolling every street here. All day yesterday, the foreigners were moving out their families in obedience to the warning of the Italians. The race trouble started Tuesday when Walter Simmons a young man, interfered in a fight between two small boys and was fatally shot by two Italians who resented his action. As a result of the Simmons shooting two Italians who claim to be innocent of any wrong doing were wounded by a sheriff's posse near Natalbany yesterday and the mutually inflicted wrongs have wrought residents and foreigners to a high pitch of anger. Gov. Sanders and the Italian consul at New Orleans have been notified.

RAILROADS MERGED.

DENVER, July 23.—The Denver & Rio Grande, the Rio Grande Western, and all its subsidiary companies in Colorado and Utah with the exception of the Rio Grande Southern were today merged into one company which will be known as the Denver & Rio Grande Railroad Company. The new company will file their articles of incorporation and after due notice will issue \$150,000,000 in bonds and \$88,000,000 in stocks.