

FRENCH CABINET HAS RESIGNED

MINISTER OF JUSTICE MAY BE NEW PREMIER

Delcasse, Who Caused Downfall of Clemenceau, Also Mentioned.

Paris, July 21.—While haste in naming a successor to Premier Clemenceau, who resigned last night after a vituperative debate with M. Delcasse in the chamber of deputies, is necessary because of the approaching visit of the Czar of Russia, it is thought that no action will be taken to-day by President Fallieres. The attack upon the naval administration in the chamber was led by M. Delcasse, chairman of the investigating committee. Amidst wild excitement a vote was taken and it was announced that the government had been beaten 212 to 176.

M. Briand, minister of justice, is expected to be named as successor to Clemenceau and he was in conference with President Fallieres and the president of the senate this morning, but nothing definite came of the meeting.

M. Delcasse, who caused Clemenceau's downfall after the premier had taunted him with having been retired in 1905, at the dictation of Germany, from his post as minister of foreign affairs, is also mentioned as a possible appointee. It is thought, however, that his chances are slight because of the known opposition of Germany to his filling an official post.

Although they resigned with Clemenceau last night, it is expected that M. Cruppi, minister of commerce; M. Pinchon, minister of foreign affairs, and M. Picard, minister of marine, will be asked to accept the portfolios when the new cabinet is formed.

Great excitement rules in political circles to-day and the president faces a difficult problem in trying to bridge the break. He has set about it determinedly, however, and indications to-day are that he will succeed in restoring political conditions to their normal state.

Clemenceau's downfall was greeted with joy in all parties because since he ascended to the premiership he has ruled the affairs of the nation with the iron hand of an absolute boss.

The press to-day comments on Clemenceau as having committed political suicide.

Ex-Premier's Statement. Paris, July 21.—In a statement to the United Press to-day, former Premier Clemenceau said:

"My defeat in the chamber of deputies last night, leading to the resignation of myself and the ministry, is entirely a personal blow. It is not a defeat for the policies of the government.

"I believe the personnel of the cabinet and the present policies of the administration will be continued."

DENIES SHORTAGE. Son of Dead Teller Declares His Father's Accounts Are Correct.

San Francisco, Cal., July 21.—Criminal prosecutions will undoubtedly follow if our investigation of the books of the Union State Bank show that the laws have been violated," announced State Superintendent of Banks Allen Anderson.

"We have not gone into the affairs of the defunct institution as yet," he continued, "to determine just how matters stand. We do not even know the amount of the shortage. I hope, however, that when my men have finished with their work on the bank's books the depositors can be paid dollar for dollar."

Herbert Von Meyerinck announced yesterday that the investigation has already cleared his father of any blame. He declared that when the experts completed their work it would be shown that the dead teller was not short in his accounts, as stated at first by officials of the institution.

WOMAN IS KILLED BY JEALOUS LOVER. Murderer Flees but Surrenders When Overtaken by Soldier.

Leavenworth, Kans., July 21.—Private Charles O'Neal, who killed Minnie Sharbena, with whom he was in love, near Fort Leavenworth, is in custody to-day. He was captured here yesterday in Lake Merritt, where he had threatened to drown himself, by Private Wm. Osthyser, of the Fifteenth Cavalry.

Miss Sharbena was employed as a maid in the home of Capt. Charles Murphy. Jealously is said to have been the motive for O'Neal's crime.

After the killing O'Neal fled from the post, going in the direction of Lake Merritt. When discovered by Osthyser he waded to his neck in the water and threatened to drown himself. Osthyser persuaded him to give himself up, and brought him to this city.

FIRE SWEEPS TEXAS TOWN. Houston, Tex., July 21.—The town of Browned, south of here on the Santa Fe railroad, was practically destroyed last night by fire. Among the losses was that of the Kirby Lumber Company plant, valued at \$175,000, and \$100,000 worth of lumber.

IROQUOIS RAN INTO SCHOONER

BULWARKS WERE CUT NEARLY TO WATER

Little Damage to Steamer Which Will Continue in Commission.

During a very thick fog early this morning the steamer Iroquois collided with the schooner Endeavor and cut her bulwarks nearly down to the water line. The schooner was then taken in tow by the steamer and Iroquois continued the service leaving on time. She will make repairs during the time she is in harbor at Seattle.

Speaking of the accident this morning, Captain McAlpine said that he was on duty at the time. The weather was very thick and the steamer was going at slow speed. Had it been otherwise she would have cut the schooner in two. The schooner appeared right in front of them as they were feeling their way through the fog and immediately the order "full speed astern" was given. There was not time, however, to check the vessel for the collision occurred almost immediately after they saw each other.

"In the excitement," said the captain, "the officer on duty on the Endeavor gave two blasts on the fog horn, whereas he should have given one, as he was going south south-east at the time. After the collision there was no particular excitement on the Iroquois. All the passengers were in bed and some of them did not get up until long after the collision.

Speaking of the damage done, Captain McAlpine said that the jib boom of the schooner ran foul of the house and did a little damage. The schooner was cut down to the water's edge and the jib boom was carried away. The Iroquois was not damaged below the bulwarks. The foremast was sprung a little and the wireless gear was carried away, one plate on the upper bulwarks and two on the lower were badly bent. Some of the woodwork was broken a little and one or two of the iron posts supporting the upper deck were carried away. The rigging was also rather badly damaged.

The accident occurred off Narrows Point, about thirty miles from Seattle.

Among the passengers on the steamer were a number of Victorians returning from the fair. D. R. Young, of Queen Charlotte City, was lying awake in his bunk when the collision occurred. He says that there was not very much impact from the meeting of the vessels. As soon as possible he jumped out of bed and came out on deck. The vessels were locked together and it took some time to separate them. When this was done the schooner was taken in tow and left for Port Townsend Bay. Mr. Young speaks very highly of the conduct of Captain McAlpine, as do also the other passengers on the steamer. He says that there was no excitement and that the captain was perfectly cool and collected all the time. The passengers who turned out were assured that there was no danger and advised to return to their rooms.

The Endeavor, Captain McAlpine, a schooner of 85 tons, was on her way from San Pedro to Tacoma July 21. She left that port July 7th and was reported passing Cape Flattery yesterday. She was under her own sail at the time of the accident. The skipper is the owner of the Endeavor and is said to carry insurance on her.

WORKMEN GATHER IN STATE CONVENTION. Three Thousand Delegates in Attendance at Meeting in Seattle.

Seattle, July 21.—The annual state convention of the Ancient Order of United Workmen and the woman's auxiliary, the Degree of Honor, convened in this city to-day. The order has 8,000 members in the state and there were more than 3,000 delegates at the convention. The sessions will continue to-morrow and Friday, in which time there will be election of officers and several competitive drills between the drill teams of different state lodges.

Memorial services will be held on Saturday morning, and following the installation of the newly elected officers, the convention will adjourn.

TELEPHONE MERGER. New York, July 21.—A formal offer to purchase the stock of the Bell Telephone Company of Buffalo was made yesterday by the American Telephone and Telegraph Company. It is regarded here as another step in the recently announced plan for merging all the Bell Telephone companies in the country into a single corporation representing nearly \$1,000,000,000 capital.

ENDS HIS LIFE. San Francisco, Cal., July 21.—Placed his head in a small china bowl and covering it with a blanket dragged from a bed, George Hardesty, who came to this city from Ogden two weeks ago, pushed a gas tube through a hole he had made in the bottom of the grip, turned on the jet and awaited death. His body was found early in the day by the clerk of the Hotel Dray, in which he committed his act of destruction.



Mr. Goward—Now, gentlemen, I have something here for every one of you.

DOCTORS IGNORED BY HARRIMAN

DIRECTS STOCK DEALS BY CABLE

Railway Magnate Renews Fight For Power and Money.

Vienna, July 21.—Despite the warnings of his physicians that only relaxation and the abandonment of business could possibly bring about his complete recovery from the nervous disorders from which he is suffering, it was learned to-day that E. H. Harriman is transacting immense stock deals by cable. The American railway magnate has transferred his apartments at Badgastein, where he went recently to take the "cure," into business offices, and he is engaged to-day in handling his affairs in the same manner that he would if he were in New York.

Stormy scenes are reported to have been enacted between Harriman and the famous specialists who have taken charge of his case. The railroad king came out of these wordsy battles victorious and despite the grave warnings of the specialists, he has renewed his battle for power and money with redoubled vigor.

Extra operators have been installed by the cable company to handle rush messages since Harriman re-entered the market.

Protect Holdings. New York, July 21.—To protect his large holdings of Harriman stocks in the event that the railroad magnate should die while abroad, a New York broker has taken out an insurance policy for \$100,000 on Harriman's life.

The insurance was written by Lloyds of London. Reports from England indicate that the New York broker is not the first investor to make that move. Several English holders of Harriman stocks are said to have insured the American railroad magnate's life because of exaggerated reports that Harriman was very ill.

ARGENTINA AND BOLIVIA. Diplomatic Relations Between Republic Have Been Broken Off.

Buenos Ayres, July 21.—The Argentine government has sent his passports to the Bolivian minister here, ordering him to leave Buenos Ayres. The government has also telegraphed Senor Fonseca, Argentine minister to Bolivia, to leave La Plata immediately.

The action of the Argentine government follows the refusal of Bolivia to accept the decision of Argentina in the matter of the boundary dispute between Bolivia and Argentina.

CONFESSES MURDER OF FOUR PERSONS. Prisoner Breaks Down Under "Sweating" and Tells Story to Police.

Aberdeen, S. D., July 21.—Confessing that he killed four persons so that he might rob one, Emil Vithor told his story to the police. Vithor has been held here since July 3rd on suspicion of having murdered John Christie, his wife, daughter and a farm hand named Michael Royant. Vithor had been "sweated" constantly since his arrest, and to-day broke down.

"I struck Christie over the head with a club," he said, "intending to rob him. I didn't mean to kill him, my only motive being robbery. I must have hit harder than I intended, for he dropped dead under the blow. Then the Royant boy appeared and I shot him. I saw then that my only chance of avoiding discovery was to make a clean sweep. I met Mrs. Christie and her daughter and killed them to keep them from informing on me."

Vithor will be brought to trial within a few days.

SPAIN TO SEND MORE TROOPS TO MOROCCO

Reinforcements Will Be Dispatched to Aid of Mellilla Garrison.

Madrid, Spain, July 21.—The government to-day ordered that 40,000 troops be prepared at once for service in Morocco, where the Moors are besieging the Mellilla garrison.

These troops will be rushed to Mellilla as soon as they can be equipped for field service.

King Alfonso is greatly perturbed over the Morocco situation and to-day cabled that he would be unable to visit England, as he had planned.

TAFI TO MEET TARIFF CONFEREES

WILL ENDEAVOR TO ADJUST DIFFERENCES

U. S. Congressmen Are Opposed to Reciprocity With Canada.

Washington, D. C., July 21.—Tariff conferees of the house and senate will dine with President Taft to-night, when the chief executive will attempt to smooth their ruffled feelings and reach a better understanding with them. It is agreed that the president will obtain free iron ore, the removal of a countervailing duty on oil, some reduction on hides and the house rate on lumber, but it is predicted that he will fail to set free hides or authority to enter into reciprocal arrangements between the United States and Canada.

At the dinner to-night Mr. Taft will report to the conferees what progress he has made in his efforts to get votes to carry his recommendation of free raw materials. He will also receive reports from the house and senate on the situation in each of the bodies.

It is believed that plans will be laid to bring the work of the conference to a conclusion at once.

DOCTORS VISIT FAIR. Seattle, Wash., July 21.—The delegates to the convention of the State Medical Associations of Washington, Oregon, Idaho, and British Columbia, were visitors at the exposition to-day, viewing the fair and taking luncheon at the New York state building. This evening the medical men will hold a reception and dance at the Washington state building. Between 200 and 300 doctors were present on the fair grounds to-day.

U. S. TORPEDO BOATS TO VISIT ESQUIMALT. Flotillas Will Spend Two Days in Harbor on Way From North.

Washington, D. C., July 21.—The first and second flotillas of the Pacific torpedo fleet will leave Puget Sound about July 25th for a two weeks' cruise in Alaskan waters, with Sitka as the objective point. The first flotilla will stop two days at Esquimalt, on the return trip, arriving at Seattle about August 13th.

Among the vessels of the flotilla are the Whipple, Hull, Truston, Paul Jones, Perry and Hopkins. The announcement of the cruise was made to-day.

ORVILLE WRIGHT SETS NEW RECORD

HAD PERFECT CONTROL THROUGHOUT FLIGHT

Aviator Ready to Begin Official Tests for U. S. Government.

Washington, D. C., July 21.—With his aeroplanes "tuned up" in perfect shape, Orville Wright, who last night established a new aerial record for the year 1909 by flying for one hour, 20 minutes and 44 seconds, is ready to-day to begin his official tests for the government.

It is possible that he may attempt to meet the requirement of the endurance flight late this afternoon. Two tests are to be made by the Wright aeroplane, according to the aviator's agreement with the government. One will be an endurance flight of one hour and the other a speed flight of ten miles over a five-mile straightaway course and return.

The government specifications are not clear as to whether the machine must carry one person or two during the flight. Wright announced to-day that he would not take any chances of violating the provisions of the agreement, and would have a signal officer accompany him in the tests. Three trials are to be allowed in each test.

Wright declared to-day that he felt no fear of failing to meet the requirements of the government. Thousands of persons who saw his marvelous flight at Fort Meyer last night feel the same confidence in his ability to succeed, as does the aviator himself. Throughout his long flight yesterday, which broke Curtiss' 1908 record of 53 minutes, Wright had perfect control of his aeroplanes. He drove the machine around the parade grounds at various heights, and to demonstrate his mastery of the craft, made a number of double turns resembling the figure eight.

The three longest aeroplane flights ever made stands to the credit of the Wright brothers. Wilbur Wright, who flew for 2 hours and 21 minutes while in France last year, holds the record. Previous to Wilbur's long flight, Orville established a record in a flight at Fort Meyer, by remaining in the air for 1 hour 14 minutes and 22 seconds. Yesterday's flight exceeded his previous record.

CONFERRING WITH CITY. Regina, Sask., July 21.—After a conference held here between the city council and F. W. Peters, representing the C.P.R., it is understood that the C.P.R. is willing to construct a fine fireproof union station for the accommodation of roads entering Regina. The city is to hand over Stanley Park to the company. They will also provide freight shed accommodation, if necessary, but the question of subways is said to be at a deadlock.

TANANA OUTPUT WILL EXCEED \$12,000,000. Increase Over Last Season of More Than Thirty-Five Per Cent.

Seattle, Wash., July 21.—According to advices brought by the steamer Victoria, which arrived in port early this morning from Nome and St. Michael, the output of gold from the Tanana valley for the year will be between \$12,000,000 and \$15,000,000, an increase of between 35 and 50 per cent. over last year. In the strong box of Purser Tracy was \$160,000 in bullion treasure and a considerable amount of gold brought in private boxes.

The Victoria brought 351 passengers, many of whom came out for the purpose of visiting the exposition.

SUNDAY CLOSING BY-LAW IS DECLARED ILLEGAL

City Has No Power to Place Restrictions on Retail Traders and Must Issue Seven-Day Licenses to Them.

(From Wednesday's Daily.)

The Sunday closing provisions adopted three weeks ago by the city council, in the form of restricting the semi-annual licenses to vendors of fruit, confectionary, non-intoxicating beverages and tobacco to sale on week days, was declared beyond its power by Mr. Justice Irving, and a writ of mandamus was ordered to be issued directing the city to issue unrestricted licenses to Antoine Vasiliatos.

This practically means that the by-law is quashed, as the city council is certain to repeal it and revert to the old by-law which it was substituted, making the license fee for the business named \$5 instead of \$4.50, to which it was reduced in consideration of the Sunday closing restrictions attached. While the legal proceedings were taken in the name of Vasiliatos, all the merchants affected had united to fight the by-law.

Incidentally, his lordship remarked on the peculiar fact that British rights and privileges have very often been maintained by the action of citizens of foreign extraction.

Frank Higgins appeared on behalf of the applicant, and made a strong presentation of the case against the city's power to impose such restrictions as the new by-law contains, fortified with Canadian and British decisions. He argued that under sections 177 and 178 merchants were entitled to a license for six months without any restrictions, and that the city had no right and no authority to impose restrictions of any sort as to the times during which a man should conduct his business.

"Where did the council get authority to alter the form of license and to dictate what days or hours he shall carry on his business?" his lordship asked.

Mr. Higgins replied that there was none, and his lordship was unable to find any authority given by the Municipal Clauses Act to justify the council.

W. J. Taylor, K. C., city barrister, raised the ingenious defence, that as Sunday trading is illegal by a positive statute (referring, of course, to the Dominion Lord's Day Act), the city could not issue licenses which would authorize a man to do an illegal act. If the attorney-general gave permission a man might at any time be prosecuted for selling on Sunday, and therefore the city could not authorize any one to do business on that day.

"There is that enactment you refer to, but that does not interfere with a man's right under our statutes," replied the judge. "Licenses may be read subject to Dominion statutes, but this man has a right to have it uncontrolled by the views of anyone."

His lordship expressed some doubt as to his power to issue a mandamus, seeing that the by-law did not say what a man should pay for the license, the \$4.50 license fee being clearly a graduated one to suit the six-day license.

Mr. Higgins cited Ontario and British decisions as to the power to issue a mandamus in such cases, simply directing the issue of a license. He argued that the court would have power to order the issue of an unrestricted license at the fee provided for the restricted license. Mr. Higgins enlarged the right of traders to a seven-day license under the Municipal Clauses Act. He also pointed out that at the present moment traders, having been refused licenses, were liable to be prosecuted.

Maintaining British Liberties. "It is a very extraordinary thing that while Englishmen always boast about their rights and the freedom and privileges they have the preservation of these they are often indebted to others for. I think his lordship, before proceeding to the next motion, they have these rights but it is an extraordinary thing that all these rights, or a great many of them, have been taken by foreigners coming into England, or other parts of the Empire, when they are set by corporate bodies of those same British people. There was Virgo vs. City of Toronto, an Italian who maintained the right to do peddling on any street; Rosal v. Edinburgh, another Italian who protested against being prevented from selling ice cream on Sunday; Sam Chong, Chinaman, against the city of Vancouver, and now Vasiliatos, a Greek, in this case. It is a peculiar thing that this happens over and over again."

FORMER CONGRESSMAN MUST STAND TRIAL. Binger Hermann Will Be Tried in Portland in the Fall.

Washington, D. C., July 21.—The definite statement was made at the state department to-day that Binger Hermann, former congressman from Oregon, will be tried in Portland on a land fraud charge this coming fall and that Francis J. Heney will personally conduct the prosecution.

Further inquiry, however, failed to bring forth any information concerning similar cases against other prominent men, who have so far dodged trial. That Attorney-General Wickham has suggested that certain land fraud cases be dismissed is shown by remarks of Representative Tawney, in which yesterday he quoted part of a letter received from the attorney-general. This quotation, which is a part of the Congressional Record, follows:

"I have given careful instructions in all cases in which Mr. Heney is retained to make general examination of the cases and, if they cannot be brought to trial within reasonable time with any prospect of success, that the indictments be dismissed, and have caused some indictments to be dismissed under these instructions."

No definite date for the Hermann trial has been set.

BARNEY OLDFIELD INJURED. Chicago, July 21.—Barney Oldfield, the "speed-eater," who has risked his neck in dozens of thrilling automobile rides, is suffering injuries to-day after losing a victim to a humble little runabout machine yesterday. Oldfield sustained contusion and lacerations, but none of his bones were broken, and the dare devil driver probably will be on his feet in a few days.

Louis Strange, who has ridden victory in close races many times, was with Oldfield at the time of the accident. Both motorists were crossing a street in Vancouver, and were going in opposite directions but down upon them, Strange jumped to safety, but Oldfield, in avoiding one automobile, jumped in the path of the other and was knocked down.

FISHING PARTY HAS NARROW ESCAPE. Four Men and a Woman Are Rescued in Exhausted Condition.

Avalon, Catalina Island, Cal., July 21.—Four men and a woman are resting to-day after a harrowing experience in a shark-infested bay in which they faced death for nearly an hour and were rescued by chance.

Mrs. H. W. Robinson, H. W. Robinson, a merchant of Los Angeles, C. H. Napp, of San Diego, Fla., and M. C. Davidson, Los Angeles, were guests of Captain George Cornell on a fishing trip in the captain's yawl. The yawl was driven on the rocks of San Clemente Island and a great hole ripped in its bow. But for the fact that the craft held to the rocks, all would have been lost. Capt. Cornell sounded the whistle when the hold began to fill and other fishing parties regarded the signal as indicating a good catch and paid little heed to the endangered party. By chance, Capt. Romans, in the steam yacht Ramona, rounded a point of the island, and came upon the yawl with just its bow out of water on the rocks and the victims of the accident clinging to it nearly exhausted. The Ramona brought the party here.

CITY GROUND

MONEY GROUND. The \$3.60 Ground

It came out while the Co. of \$50 a day Association, use of the cash is probably as rent a day for the and \$30 for b.

As a matter of fact, the club has made out of some \$100,000 in profits by these means. There is a question as to whether the club's improvement is really a benefit to the city or not.

After the club was formed, the attention was not given to the improvement of the club's facilities. The club's facilities were not improved until after the club was formed.

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