

grew out of the publication of the Indianapolis News, owned by Mr. Williams, of certain editorials in regard to the United States of the Party. Offense at these articles by Theodore Roosevelt, and William Nelson of New York; Charles P. Taft, and others. The matter was taken up by the federal grand jury with the demand for indictment of Mr. Smith and Mr. Williams. Some of the copies of The Indianapolis News, some of the articles in which the offense was committed, were burned in Washington, it was reported by the government that this was an offense in the District of Columbia. The government returned under the indictment as neither of the defendants of the District of Columbia necessary for the government to remove them to Washington. Copies of the indictments were presented to Judge Anderson by Mr. Williams are under indictment for the other. The government is contesting removal on several grounds, for one thing, the articles published were not libelous they were libelous they were published in Indianapolis and not in Columbia, and therefore not libelous in Indiana under the law.

**Test for Postponement.**  
 It had not been known whether there would be any objection to taking up the case again on a later date when the hearing was set for June. A short time ago the government wrote to Charles W. Milner, giving several reasons for a postponement. The government's contention of a further postponement before Judge Anderson was rejected. Mr. Miller appeared for the defense and Ferdinand Winchell acted as counsel for the defense. The government set out the reasons why a postponement was desired. He said that Namara was engaged in the trial of a similar case connected with the New York case and that the result of the trial would determine what further

# WRIGHT ENCIRCLES STATUE OF LIBERTY

**Dayton Aeroplanist Makes Express Train Time and Frightens the Immigrants.**

**GREAT SIGHT FOR CROWDS**

**Glenn Curtiss Also Makes a Successful Test Flight Over Governors Island —Part of Celebration.**

**NEW YORK, September 29.**—Wilbur Wright circled the statue of Liberty in his aeroplane today. Glenn Curtiss also made a successful test flight at Governors island early this morning. Starting from Governors island, Wright sailed through the air around Ellis island, where his maneuvers threw many immigrants almost into hysterics, thence over to Bedloes island, where he made a complete circuit of the statue of Liberty, after which he flew back to Governors island, landing practically on the spot he started from. The aeroplane moved at terrific speed in the gentle breeze that prevailed.

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that the result of the determine what further be had in the case and Mr. Williams.

### Attorney's Statement.

Statement in regard to the follows:

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a is in charge of the d case as special as- nnection with this case that case will be tried; probably a week to try cessary for him to de- attention to the prepa- ase for trial, and this interfere with his doing necessary to be done in his case, and that under s, that being an actual questions that are in- esult of that trial would tially what further pro- e had in connection with r these reasons he has sent this matter to the o the attorneys repre- dants and ask that the of this matter be post- the trial is concluded in reference to the New at, in substance, is the overnment."

### For the Defense.

representing the defend- g Mr. Miller, said:

Next please, I have every ally to oblige Mr. Mc- atter, but that is not the all. It is the question of eendants in this case to y prompt disposition of onor will remember that

gentle breeze that prevailed.

Wright had been anxious to be the first aviator to pilot a heavier than air machine around the famous figure of Miss Liberty and announced when he arrived here that this would be one of his first objects. When he made his first flight about the bay today, however, without attempting the feat, it was believed that he had decided to reserve the performance until it could be made a part of the regular program.

### Immigrants Excited.

The fact that he had been in the air, however, on a brief test flight early this morning, attracted an enormous fleet of excursion craft to the upper bay, while the Jersey and Manhattan shores were crowded by curiosity seekers. Under the stimulus of this audience the quiet Ohlan decided to try his second flight of the day, and at 10:18 he arose into the air from the landing place at army headquarters on Governors island. His motor was working like a charm, and he turned his machine toward the Staten island shore down the bay. He did not go far in that direction, however, as he described a giant half circle and sent his craft toward Ellis island, the inspection and landing place of millions of immigrants who have landed on American shores.

There were a great many foreigners on the island, and the sight of the strange machine in the air greatly alarmed them until the interpreters explained to them what was going on. Wright kept on over toward Bedloes island, and he made a complete circle of the Liberty statue, starting back at once to the testing ground, where he landed.

### First Landing Bad.

Two hours after Curtiss completed his short flight Wright had his machine taken from the shed and made a flight, encircling Governors island, sailing over the water and covering six miles. Wright made a bad landing, the tip of one of his planes striking the sand and swerving the machine around. Fortunately no damage resulted, and the aeroplane was replaced on the starting track. In starting Wright faced the west, but the wind was not as strong as when Curtiss flew. The aviator, after his machine had gained sufficient speed, turned up his elevating planes and, rising superbly, headed toward the western edge of the aerodrome. Turning to the left he made a wide sweep of the field and, coming around to the southern

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**to be Surprised.**

that I had informed him. ease was set for trial its resisted extradition that the articles that d were privileged com- at he had no right to could not have been

on Page Sixteen.

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As soon as he was out over the water he turned north and circled the island, being lost from view of the spectators be- hind a clump of trees. He reappeared on the outer side of Castle William and made a complete circle in the southern half of the aerodrome before coming around a second time very close to the earth. When about to land the left wing tip scraped the sand and whirled the ma- chine around so that it landed sidewise on the skids.

**Thought It Would be Smashed.**

"That's the worst landing I've made in a long time, and I'm not going to try any- thing like it again," said the aviator. "I thought surely the machine would be smashed to pieces. It is the only machine in the world that would stand such a bad landing."

There were marked differences in the manner in which the Curtiss and Wright machines behaved. Curtiss flew on an even keel and with less movement from side to side. The Wright aeroplane when taking curves heeled over like an auto- mobile rounding a banked track. It also

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Indianapolis News.]

1., September 29.—

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# WRIGHT ENCIRCLES STATUE OF LIBERTY

Continued from Page One.

flew somewhat faster than the Curtiss machine. The Wright machine flew at an average altitude of forty feet.

After Wright had inspected his aeroplane to see if it had suffered any damage, Curtis, who had reached the field as Wright came to earth, greeted his rival familiarly and asked him, "How's the going this morning?"

"Very good," responded the Dayton aviator, "but I made a very bad landing." Conditions for flying improved as the day advanced, and a crowd gathered at the Battery and boats surrounded Governors Island in expectation of further exhibitions.

## Tightens Up and Starts Again.

After tightening the wires and screws of his aeroplane and shifting the starting rail so that it faced directly against the wind Mr. Wright made another flight, during which he crossed the lower bay and passed around the statue of liberty. He started on his flight at 10:18 o'clock and finished in six minutes and thirty seconds.

In starting the machine went along the monorail for the entire distance of 165 feet and then turned upward. Ascending as he circled about, Mr. Wright headed his machine directly toward the statue of liberty. At a height of thirty feet he flew directly over the water, with the wind coming slightly over the port side. He climbed gradually as he approached the Jersey shore and had attained the height of one hundred feet when he began his turns to the southward to pass around the statue. He was fully one hundred and fifty feet in the air when he headed for the starting point on Governors Island.

## Speed of an Express Train.

Coming with the speed of an express train the aeroplane was only ten or fifteen feet from the ground when it

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