

## SHARP ARGUMENT IN CHICAGO TRIAL

OPERATORS WHO ARE ALLEGED TO BE TRYING TO CORNER OAT MARKET APPEAR IN COURT.

### DENY ANY CONSPIRACY EXISTS BETWEEN THEM

Were Not Endeavoring to Buy Stuff at a Lower Price Than That at Which It Had Been Sold—Defendants Secure Modification of Injunction, but the End of the Investigation Is Not Yet.

[BY ASSOCIATED PRESS.]  
Chicago, July 31.—Judge Chytrous today modified the injunction issued yesterday restraining the Chicago board of trade and the board of trade operators, James A. Patten, Carrington, Patten & Co. and Bartlett, Frazier & Co., from conducting a corner in July standard oats, by restraining the defendants from asking the president of the board of trade to impose down margins deposited by the complainants—Waite, Thornburn & Co.—to secure 55,000 bushels of short sales.

The court held a session before the opening hour of the board of trade, in order that a decision might be arrived at before business was begun. A motion for a dissolution of the case will come up for further adjudication next week. The effect of the action of the court is for the time to protect the complainants against any alleged corner, and is construed as working against the bull clique of operators on the board.

**Argument by Defendants.**  
The argument that was brought to bear by attorneys for the board and for the defendant operators were that inasmuch as both the complainants and the defendants were members of a tribunal that adjudicated any controversies between its members, the injunction should be dissolved on the ground of want of jurisdiction. It was argued that the complainants were premature in asking for an injunction against a corner, when no such corner was in effect and when the board of trade rules specifically prohibited corners.

The defendant members of the board of trade, in answer to the injunction, denied the affirmation that July standard oats were worth not in excess of 35 cents a bushel, and said that they were worth more than that price. They also denied any conspiracy among themselves or with Joseph Bidwell, grain inspector, to corner July oats or to forestall the market in that commodity or to raise the price of July oats.

**Deny Charge.**  
They denied that they had given a fictitious value to the article and that they had made any purchases for delivery since July 1. It was set forth that the elevator accommodation and railway facilities of Chicago were such as would allow of over 15 times the amount of oats bought of Waite, Thornburn & Co., by the defendants, and that frequently defendants had bought 10 times as much as their total purchases in this delivery.

Following are the purchases made in July standard oats by the bull clique as set forth in their affidavit: Bartlett, Frazier & Co., 900,000 bushels; Carrington, Patten & Co., 100,000 bushels; James A. Patten, 860,000 bushels.

**Made Sharp Allusions.**  
Attorney J. H. Monroe, for the defendants, in addressing the court, made sharp allusions to the complainants' having been of a speculative turn of mind and sold something they did not have and which they did not have the means of obtaining for delivery. He said it looked as if the complainants were trying to make money by buying in property at less price than that for which it had been sold.

Judge Chytrous before modifying the order, told the attorneys he did not consider the injunction restrained the defendants from bidding, buying or selling or refusing to buy or sell July oats in the pit or from any of their accustomed business operations, aside from those in connection with the complainants.

**New American Secretary.**  
New York, July 31.—Craig Haysworth of this city sailed for London to take up his duties as third secretary of the United States embassy in succession to William Eustis.

## TERROR STRICKEN BY EARTHQUAKES

INHABITANTS OF LOS ALAMOS FLEE FROM THEIR HOMES AND SEEK PLACES OF SAFETY.

### DISTURBANCES BECOMING MUCH MORE SEVERE

Three Distinct Shocks Felt Early This Morning and the People Are Advised to Be Ready to Leave at a Moment's Notice—No Loss of Life Reported but Financial Loss Will Be Heavy.

[BY ASSOCIATED PRESS.]  
Los Alamos, Santa Barbara county, Cal., July 31.—The people of this city and vicinity are terror stricken and are fleeing from their homes to places of safety on account of the increasing severity of the earthquakes which have visited this section since the night of the 27th instant, since which time it is estimated 75 distinct shocks of earthquake have been felt. The most severe shock occurred at 1:20 o'clock this morning, when the earth seemed to lurch from the south to the north and then to twist back again, destroying brick walls and piling everything indoors into unrecognizable heaps, toppling over heavy iron safes and destroying thousands of dollars' worth of goods.

**Inhabitants Terror-Stricken.**  
The people are panic stricken and many are leaving town by train and in all available vehicles. Three distinct shocks were recorded between 7:25 and 7:30 this morning, and these latter disturbances added much to the terror of the inhabitants.

President Benjamin Wheeler of the University of California was communicated with by telephone and advised that the people be ready to move at a moment's notice, and for the doors of residences and places of business be left open, so those inside might escape in the event of further disturbances. The advice of President Wheeler was communicated to the people and was immediately acted upon.

**Heavy Financial Loss.**  
It is impossible to estimate the financial loss at this time with any accuracy, but it is believed that the disturbances of the last three or four days have damaged at least \$30,000 worth of property. Reports from other vicinities in the valley will doubtless increase the amount by thousands of dollars. No loss of life has as yet been reported. The Presbyterian church, the only church in town, is demolished and not a business house or residence escaped damage.

The West Union Oil company is the heaviest loser, two of its immense storage tanks being demolished, releasing thousands of gallons of oil.

Later two more distinct shocks were felt. Word comes from the towns of Santa Maria and Lomper, each distant about 20 miles from Los Alamos, that the disturbances of last night were but slightly felt in the vicinity of those towns, showing that this place was the center of the disturbances.

Los Alamos is a town of about 600 inhabitants, in Santa Barbara county, and is the center of a large oil-producing territory. It is situated in the Los Alamos valley, one of the most productive valleys in the state, wheat, olives and citrus fruits being produced in abundance.

### NEW OFFICERS OF D., N. & P.

Davis H. Moffat Chosen President at the Election in Denver.

[BY ASSOCIATED PRESS.]  
Denver, Colo., July 31.—The board of directors of the Denver, Northwestern & Pacific company elected the following officers: Davis H. Moffat, president; W. G. Evans, vice-president; Frank Gibson, secretary; George E. Ross-Lewin, treasurer; Charles J. Hughes, Jr., general counsel; H. A. Sumner, formerly state engineer of Colorado, was appointed chief engineer. Mr. Sumner had charge of the construction of the Florence & Cripple Creek railway and has just finished building the El Paso division of the Rock Island.

**Killed His Wife.**  
Kansas City, July 31.—Fred Falkenburg, a teamster, shot and killed his wife as she lay asleep at their home at West Argentine last night, and then fatally shot himself. Jealousy probably was the cause.

## SECOND SHOCK BRINGS DEATH

Alfred E. Rhodes, Employ of Cudahy Company Is Killed in Refrigerator Car By Electric Current—Coroner Is Hurt.

Alfred E. Rhodes, driver and warehouse man for the Cudahy Packing company, the Butte headquarters of which are in South Arizona street, opposite the St. James hotel, was shocked twice by an electric current shortly before 8 o'clock this morning and died in a few minutes. Coroner Johnson came very near being killed in the same way while making an investigation of the accident, half an hour later.

The accident to Rhodes occurred in the refrigerator car of the company, which is a permanent fixture on the railroad track at the east end of the warehouse. The car is lighted by electricity from the city plant. A few minutes after Mr. Rhodes went on duty he had business in the car and it was while attending to it that he received the shock. After opening the outer door he unlocked the inner door, removed the padlock from the staple and hung it on an electric wire overhead.

**Full Force of Current.**  
As the lock touched the wire he received the full force of the current and fell to the floor.

H. L. Klock, manager of the produce department of the warehouse, was near him and rendered prompt aid by dragging him from the car to the platform. Then Mr. Klock and several other men worked with him a few minutes and he recovered sufficiently to get up and walk. He went to the office of the company, only a few feet away, and sat down a few minutes to regain his composure. He then returned to the car alone and entered the end he had previously opened. With what he came in contact the second time is not exactly known, but in view of the fact that the entire interior of the car was wet and charged with the current the supposition is that he merely touched a piece of meat or some iron instrument. Mr. Klock missed him in the office and supposing he had returned to the car went to see how he was getting along. On reaching the outer door he saw Rhodes lying on the floor with his head on the threshold of the inner door.

### HONEYMOON UNAVOIDABLY POSTPONED FOR PRESENT

Keys' Sweetheart, Thinking He Would Be Acquitted, Married Him in Jail but He Goes to the Pen.

Sheriff Sherlock of Boulder, Jefferson county, had a prisoner for the state prison in the county jail today and last night. His man was Joseph Keyes, who robbed a hotel at Boulder and after his arrest broke jail by digging out.

Keyes got four years for the burglary of the hotel, and Sherlock took him down to Deer Lodge this afternoon.

Keyes made his escape from the Boulder jail by digging through the brick wall. He got an iron bar in the jail some way and he dug out with that.

While Keyes was in jail, a girl from here named Harrison, an old sweetheart of his, went over to Boulder and married him. Mollie hoped to see him acquitted of the charge against him, but she was disappointed, and their honeymoon will be unavoidably delayed a few years.

### PRESIDENT ROOSEVELT BUSY

Transacts Official Business and Entertains Numerous Guests.

[BY ASSOCIATED PRESS.]  
Oyster Bay, N. Y., July 31.—President Roosevelt disposed of a large amount of public business early today, with the assistance of Assistant Secretary Loeb. The president had as guests Adolph Ochs and Stanford Newell, United States minister to The Hague, who is in this country on leave of absence. He called merely to pay his respects.

**Chance for the Women.**

[BY ASSOCIATED PRESS.]  
London, July 31.—Edmond Barton, premier of Australia, replying today to a deputation of woman suffragists, headed by Lady Henry Somerset, said the outlook for woman suffrage was excellent throughout the Australian commonwealth.

Mr. Klock again pulled him from the car to the platform, but while taking him out he heard the death rattle in his throat and knew he had received a fatal shock. Mr. Klock and half a dozen other men worked with him pending the arrival of Dr. Hall, who had been sent for as soon as his condition was learned, but he died within a minute or two after being taken from the car.

Coroner Johnson was notified and he arrived on the scene as quickly as possible. After viewing the remains he entered the car for the purpose of examining its interior and placed one of his hands on a piece of meat. The meat was charged almost as strongly with the deadly current as was the wire overhead and the coroner got the full benefit of it. The shock knocked him down and for 10 minutes he was practically dead to the world. When he recovered his senses he was so weak he could hardly walk. In half an hour he recovered from the effects of the shock and finished his investigation.

The body of the dead man was sent to Richards' undertaking rooms, where an inquest will be held this evening.

**A Good, Steady Man.**  
Rhodes had been in the employ of the Cudahy company about two years and was regarded as a good, steady man. He was unmarried and occupied a room in the Seattle block, which fronts on Utah avenue, only a few yards from the Cudahy packing house. He was about 30 years old, and so far as known, has no relatives in this city. He has a brother, A. J. Rhodes, working for the Armour Packing company in Spokane. The latter has been notified of the accident.

One sad feature of the occurrence is the fact that the two brothers returned only last Sunday from Aurora, Ill., where they were called a few days prior by the death of their mother. The Spokane brother reached Spokane Monday night, and will now probably return to Butte at once to take charge of his brother's body.

Rhodes was a member of the Maccabees and was insured for \$2,000. The Maccabees will take charge of the funeral arrangements.

### REFUSED TO ALLOW THEM TO COMPLETE THE JOB

Manuel and George Wolford, in Suit Against John Korn, Claim He Delayed Them in Their Work.

Fred Manuel and George Wolford, doing business as Manuel Wolford, brought a suit in the district court today against John Korn to foreclose a mechanic's lien. The sum sued for was \$367.20.

The plaintiffs allege that the defendant bound himself in a contract with them in which they agreed to move a house from Burlington to Butte for him, and he agreed to pay them \$15 a day for the work. They allege further that he let them move the house for 21 days and then hindered and delayed them and refused to let them complete the contract and threatened to have them arrested if they tried to complete it.

The complaint says that they could have finished the work in eight days, and offered to do so, and that for the 21 days' work which they did and the eight that they were ready to do the defendant owed them \$445.76, upon which debt he paid \$239.56.

They allege that a balance of \$215.76 is due them on the contract and also \$2 for money expended in filing a lien and \$150 for an attorney's fee.

### WHAT TO SEND TO CAPE TOWN

List of Things Dealers Should Send to the South African Republic.

[BY ASSOCIATED PRESS.]  
New York, July 31.—The Austrian consul at Cape Town calls to the attention of Austrian manufacturers, cables the London correspondent of the Tribune, the following articles as being most in demand in South Africa: Motor cars, brick manufacturing machines, water pipes, electric and telephonic apparatus, milling and brewery machinery, refrigerators, tin plates, barbed wire, textiles, ready-made clothing, boots and shoes.

Numerous Austrian commercial travelers have started for South Africa.

## PARDON GRANTED TO HILDERBRAND

WAS SENTENCED TO TWO YEARS' IMPRISONMENT FOR KILLING BLASKOWITZ IN A DUEL.

### AFFAIR ATTRACTED IN- TERNATIONAL ATTENTION

The Duel Took Place at Intersburg in East Prussia and Was the Result of a Dinner Quarrel—Regimental Court Martial Decided That It Was Unavoidable—The Pardon Explained.

[BY ASSOCIATED PRESS.]  
Berlin, July 31.—Emperor William has pardoned Lieutenant Hilderbrand, under sentence of two years' imprisonment in a fortress for killing Lieutenant Blaskowitz in a duel last November. The affair attracted international attention, because Blaskowitz was killed on the morning of the day set for his wedding.

The duel, which took place at Intersburg, East Prussia, followed an episode in which Lieutenant Blaskowitz, while intoxicated at his bachelor dinner, struck Lieutenant Hilderbrand. A regimental court martial decided that the duel was unavoidable. An investigation developed the fact that Lieutenant Blaskowitz awoke the day after his bachelor dinner without any recollection of the altercation and went to visit his fiancée, whence he was recalled to fight the duel.

**Explanation of Pardon.**  
Lieutenant Hilderbrand served only seven months of his sentence. Military men explain the pardon by saying that Lieutenant Hilderbrand acted simply as the law of honor required.

There was considerable criticism of the sentence of imprisonment imposed on Lieutenant Hilderbrand on the ground that it was inadequate. Comment was also caused by the fact that the trial was held behind closed doors and that newspaper correspondents were forbidden to say anything concerning the facts that brought about the duel.

### GREAT NORTHERN WILL AID GOOD ROAD MOVEMENT

Place Special Train at Disposal of the Officials—Practical Demonstrations Are to Be Given.

[BY ASSOCIATED PRESS.]  
Washington, July 31.—The Great Northern Railway company has placed at the disposal of officers of the Good Road movement a railroad train for the purpose of transporting representatives of the agricultural department, engineers and road machinery to be used in practical object lessons in road building. Road conventions will be held at the cities where the train will stop. The train will start from Chicago August 15, 8:15 a. m., and will reach Minneapolis early in September, where demonstrations of theoretical and practical road building will be given at the state fair grounds during fair week.

At the close of the fair, the train will continue westward to the Pacific coast, stopping at the principal cities en route, at each of which practical demonstrations in good road building will be given. The chief aim will be to show what can be done with such road material as can be found in the vicinity of the various counties to be visited, introducing practical road machinery and the most approved methods of road construction. The train will be operated under the direction and management of Hon. Martin Dodge, director of public road inquiry of the department of agriculture; Col. R. W. Richardson and James W. Abbott, Western representatives of the department.

**Incorporation Articles Recorded.**

[BY ASSOCIATED PRESS.]  
Trenton, N. J., July 31.—The articles of incorporation of the Rock Island company, capital \$150,000,000, which were filed in the office of the clerk of Hudson county, New Jersey, yesterday, were recorded today by the secretary of state. A filing fee of \$30,000 was required to have the incorporation made a matter of state record.

## GOOD ROADS TRAIN TO STOP IN BUTTE

SPECIAL CARRYING EXPERTS IN THE ART OF THOROUGHFARE MAKING IS TO TOUR WEST.

### GET HERE FOR THE GREAT MINING CONGRESS

Train Carries All Sorts of Machinery for Road Building—Stops Made Where It Will Do the Most Good, and the Countryfolk Taught How to Lay a Road and Keep It in Good Condition.

Butte will have a visit from the Good Roads train some time during September. This special, which consists of 12 flat cars, carrying the most modern machinery for the development and construction of good thoroughfares, will be in charge of Colonel Richardson. Two passenger coaches, carrying the experts and others necessary to make the demonstrations, will be attached to the train.

The Great Northern, Northern Pacific and Burlington railroads, included in the Northern Securities system, have agreed to haul the train to the coast and back free of charge. The expense to the railroads is said to approximate \$100 a day, and as the train is expected to remain for 100 days, the outlay on the part of the roads will be approximately \$10,000, donated to the country tributary to the roads for the purpose of demonstrating to the residents the value of good roads and the ease and economy with which they can be constructed.

**May Catch the Congress.**  
It will come west over the Great Northern from St. Paul some time during August, and will stop at most of the cities in the states en route. After remaining at the coast cities long enough to demonstrate the efficiency of the machinery, the train will return over the Northern Pacific to Billings, where it will go east over the Burlington.

It is hoped that arrangements can be made so that the train will be in Butte during the first week in September, when the mining congress is in session.

The engineers accompanying the party make a study of the character of the materials at hand for road-making, and at each place where the train stops they construct a piece of first-class road. Horses are loaned for the purpose of making the demonstrations. The engineers then explain why the class of operations decided upon is preferable under the circumstances and handle the machines for the work. In making up the train, the machines for the campaign and the men to run them are supplied by the manufacturers as an advertising feature.

**Highly Beneficial Innovation.**

Speaking of the enterprise today, Secretary Mahon of the mining congress, who is interested in the Good Roads movement, said:

"It is an exceedingly practical innovation. The construction and maintenance of good roads in a community is something in which every citizen is deeply interested. Country roads are generally not only unsatisfactory but are usually poorly conceived to begin with, and allowed to go most of the year in an atrocious condition of repair. They are not expensive to construct nor are they expensive to maintain, once the task is properly undertaken."

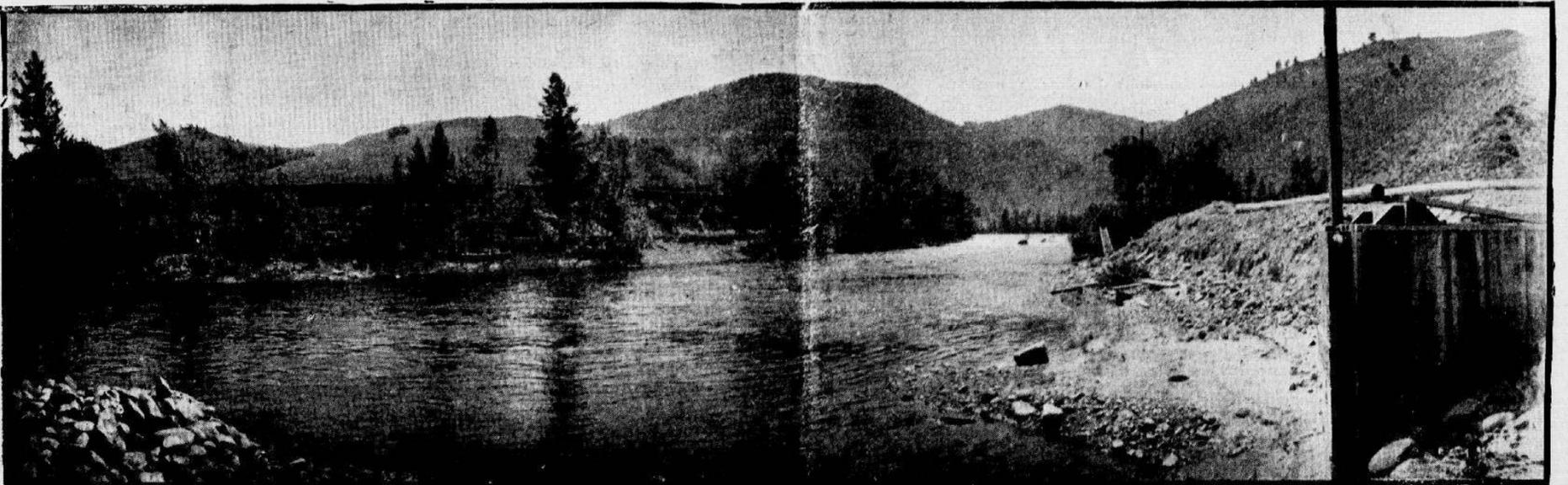
### BROUGHT HERE FOR BURIAL

Arrangements for Funeral of William Farrell, Killed in Wisconsin Wreck.

Owing to a delay in the arrival of the train, definite arrangements for the funeral of William Farrell, who was killed in the Milwaukee & St. Paul wreck at Etterra, Wis., were not completed today.

Two of the dead man's brothers, Thomas and Frank Farrell, are here from Anaconda and John Farrell, another brother who lives in San Francisco, is expected tomorrow.

Orders were wired to ship the body to Butte where the bodies of the parents are buried, for interment, and the arrival is expected about 5 o'clock this afternoon, following which the funeral arrangements will be announced.



PICTURE TAKEN FROM INTAKE AT BIG HOLE WATERWORKS SHOWING EXPANSE OF STREAM THAT SUPPLIES BUTTE WITH WATER.