

COURT ORDERS NEW BONDS FILED

INDEMNIFIED SECURITY OF "DYNAMITE CONSPIRATORS" CANNOT STAND.

PRISON THE ALTERNATIVE.

Twelve Defendants in Indianapolis Must Go to Jail During Trial Unless New Bail is Found Within "Reasonable Time"—Attorney for Defense Has Run-in With the Judge.

Indianapolis, Nov. 27.—On the ground that their present bonds aggregating \$105,000 had been indemnified and therefore were invalid, 14 of the 45 defendants in the "dynamiting conspiracy" trial were instructed by the court today that "within a reasonable time" they must procure new bonds or remain in jail during the intervals between sessions of the trial.

The court held that, as it was on the eve of a holiday, he would not enforce his ruling tonight, since the attorneys for the defense had said the defendants inevitably must go to jail because new bonds could not be had on such short notice.

Three other defendants, H. S. Hooker and Edward Smythe and James E. Ray, Peoria, Ill., have been confined in the county jail in the custody of federal officers for several days because they have been unable to furnish bonds.

In the arguments over the point, Federal Judge Anderson accused Alfred R. Hovey of the defense's counsel of being "insolent" to the court, adding, "If you repeat the offense, I'll put you where you will need some bonds."

At first District Attorney Miller included Frank M. Ryan, president of the International Association of Bridge and Structural Ironworkers, and John T. Butler, vice president of the union, among those whose bonds were indemnified, but later attorneys for them announced that the indemnity had been withdrawn and the bondsmen alone were responsible for the appearance of these particular defendants.

Against Public Policy.

Judge Anderson ruled that a bondsman who was secured against loss, either by a surety or third person, had no interest whatever whether the defendant appeared and that indemnified bonds were against public policy.

Those whom the court ruled must furnish new bonds or be taken into custody are: Frank C. Webb, New York; C. E. David, Rochester, N. Y.; William K. Benson, Boston; George N. Y. George, Anderson and P. J. Smith, Cleveland; H. M. Cline, Muncie, Ind.; S. P. Meadows, Indianapolis; Daniel Buckley, Rock Island, Ill.; P. A. Cooley, New Orleans; Frank J. Murphy and Charles Wachstein, Detroit; F. K. Painter, Omaha; J. W. Lickstener, Denver, and J. E. Munsey, Salt Lake.

Henson formerly was head of the Detroit Federation of Labor. Kings and Meadows were officers of the International Association of Carpenters and Joiners and Dowd was an organizer of the International Association of Machinists. All others are officials of the ironworkers' union.

When the district attorney announced he would insist on new bonds, Senator Kern of the defense said as it was on the eve of a holiday it would be impossible to procure new bonds at once and it would work a hardship, "for the defendants were not going to run away."

"It is clearly against public policy to accept indemnified bonds and if that's the law I'll have to enforce it whether tomorrow is Thanksgiving day or not," said the court.

Later, on appeals from the attorneys, Judge Anderson said he would allow sufficient time to procure the bonds.

During the cross-examination of Orville McManigal by Senator Kern, Attorney Hovey interrupted the proceedings by saying: "Your honor, I want to call your attention to the district attorney giving signals to the witness by shaking his head."

District Attorney Miller: "I was doing nothing of the sort." Judge Anderson to Mr. Hovey: "Sit down; I can see when there is anything going on here."

Later, in the argument over bonds, Judge Anderson asked Mr. Hovey who had put up \$10,000 in the name of his law firm as security for certain

BULGARIAN ARMY HAS SUFFERED BIG LOSSES

Sofia, Nov. 27.—Italian papers publish reports that the Bulgarian army has lost more than 90,000 men, including its best troops, and is worn out, short of ammunition, and a prey to epidemics. An official denial is made of all such reports. The statement gives assurance that the army is provided with every necessity and is ready to carry on the campaign with an enthusiasm that never has faltered.

MINERS DENOUNCE FOREST SERVICE PROCEDURE

INCLUSION OF 400,000,000 ACRES IN RESERVES CALLS FORTH CONDEMNATION.

Spokane, Nov. 27.—David W. Brunton of Denver, Colo., was elected president of the American Mining congress tonight. Other officers elected were: First vice-president, Heinon Jennings, Washington, D. C.; second vice-president, E. A. Montgomery, Los Angeles; third vice-president, Carl Schotz, Chicago; secretary, James F. Callbreath, Denver, re-elected.

A law which would take the determination of the validity of Alaska coal claims from the hands of the department of the interior and place it in the hands of the federal courts was indorsed by the congress today. A resolution was adopted favoring a federal law providing that all Alaska coal claimants who filed on their claims prior to the withdrawal order of Nov. 12, 1906, be permitted to bring action against the United States in the federal courts of Alaska with right of appeal to the United States circuit and United States supreme courts, to establish the validity of their claims, the final action of the courts to be conclusive, the claims declared invalid being cancelled thereby and the issuing of patents becoming mandatory for those claims declared valid.

Other resolutions adopted included a recommendation to President-elect Wilson that he appoint one man from the so-called "public lands" states as secretary of the interior and that congress direct the forest service to aid in building and maintaining roads to isolated mining camps within forest reserves. The congress will urge that an appropriation be made for the completion and publishing of mining statistics by the census bureau.

The following were elected today to fill vacancies in the board of directors of the congress: R. W. Brunton, Denver; W. G. Conrad, Helena; George H. Dem, Salt Lake; H. L. Day, Wallace, Idaho; and W. B. Shackelford, Joplin, Missouri.

In his speech Mr. Stannard said: "Ceil Rhodes has been called 'The Empire Builder' for his work in adding to the domain of Great Britain on which the sun never sets. He did not compare with Clifford the First, who established within this republic an empire on which the sun never sets, and on which the individual is not safe. I admit that this empire may have a genial despot, but the head of the forest service is a despot none the less."

Alaska delegates were foremost in the attack on the forest service, Clarence Cunningham, whose name is borne by the most prominent group of coal claims in Alaska, titles to which are in question, made a sarcastic suggestion that the scope of the forest service be increased to include all public lands.

"I am from Alaska," said Clarke Davis. "I am one of the 'coal thieves' that Governor Stubbs of Kansas said ought to be in the penitentiary. I rejoice to say that today his political corpse rests on the cold marble slab of the morgue of political oblivion."

Davis denied that the forest service was an aid to the honest miner and challenged the forest service to show a single benefit its work had brought to Alaska. M. D. Leehy of Seattle and H. H. Schwartz of Oregon, spoke along similar lines.

AMERICANS SAFE. Washington, Nov. 27.—All American citizens in Asiatic Turkey are safe and unmolested, according to reports to the state department by Consul General Hovell, at Beirut, Syria, who announced the receipt of advices from various consuls throughout the district. Except for some excitement among the Mohammedans at Haifa and Adana, everything is reported quiet in this region.

KAEMPF RE-ELECTED. Berlin, Nov. 27.—Carl Johannes Kaempf, member of the imperial parliament for what is known as the emperor's district of Berlin, was re-elected today speaker of the house.

VISIONS



English smart society, picturing Mr. Bryan as a "shirt sleeve" diplomat, is not enthused over the possibility of the Commoner's representing Uncle Sam at the Court of St. James.

LAWYER ALBERT T. PATRICK PARDONED BY GOVERNOR DIX

SENATOR JONES DIES AT LOS ANGELES RESIDENCE

MEMBER OF UPPER HOUSE FOR THIRTY YEARS GOES TO THE GREAT BEYOND.

Los Angeles, Nov. 27.—Former United States Senator John Perceval Jones, who represented Nevada in the upper house of congress for 30 years, died here tonight after a long illness.

Senator Jones was a pioneer of California, as well as of Nevada. He was a member of the California state senate from 1863 to 1867. He moved to Nevada in the later sixties and was elected to the United States senate in 1873, serving continuously until 1902. He was nearly 84 years old.

In 1874 Senator Jones purchased the present site of Santa Monica and founded that town. Since his retirement to private life he made his home there until recently when he moved to Los Angeles because of his failing health. He is survived by his widow and three married daughters. No funeral arrangements have been made.

PROGRESSIVES WIN FIRST BATTLE

JUDGE CRAIG OF LOS ANGELES COUNTY ORDERS RECOUNT OF TWO PRECINCTS.

Los Angeles, Nov. 27.—The end of the legal controversy over the presidential election in Los Angeles county is in sight. The progressives won a point in the superior court today when Judge G. W. Craig ordered a recount of the vote in the two precincts which have caused most of the contention, and the ballot boxes were immediately opened. The count will be concluded some time Friday.

One more legal move will be made by the democrats. They will file a similar complaint in equity in the superior court Friday asking for a recount in three city precincts on the same grounds set forth by the progressives and it is very likely that the ballots in the three precincts will be counted. Prominent democrats stated tonight that no further legal steps would be taken in Los Angeles county.

The board of supervisors still is working on the re-canvas of the county vote ordered by the appellate court and probably it will not be concluded until the middle of next month. Democrats admitted tonight that they would not make the gains expected on the new count.

Man Convicted of Murder of Millionaire Rice and Sentenced to Death, but Whose Punishment Was Commuted to Life Imprisonment, Gets Liberty After a Long Fight.

Albany, Nov. 27.—Albert T. Patrick, who is serving a life sentence in Sing Sing prison for the murder of William March Rice, an aged millionaire, in New York city on September 23, 1906, was pardoned tonight by Governor Dix.

Patrick, who was saved from the electric chair by the late Governor Higgins, in December, 1906, has made a remarkable fight for freedom. A lawyer by profession, he protested when Governor Higgins committed the death sentence to life imprisonment, declaring the governor had no legal right to cancel the original sentence and impose a punishment of life imprisonment.

Governor Dix announced that he had pardoned Patrick just as he was about to leave the control for the executive mansion.

"There always has been an air of mystery in this important case," he said. "Quoting from the opinion of the court of appeals, the atmosphere that surrounded the defendant showed that a fair and impartial trial was scarcely possible."

"I trust that Mr. Patrick will devote his energies to a complete vindication of his declared innocence."

"During the last year, I have given much consideration to this case, and am convinced that the defendant is entitled to have a full pardon."

Pardon Mailed. Governor Dix said Superintendent of prisons Scott and a score of prominent persons appealed to him in Patrick's behalf. The pardon was mailed tonight to Ward W. Kennedy of Sing Sing, and Patrick may be released tomorrow upon his receipt.

It is said that Patrick plans to leave for St. Louis, the home of John T. Milliken, his brother-in-law, but may return later to New York, as a claimant for the millions left by the aged man with whose murder he was charged.

Mr. Milliken aided Patrick in his fight for freedom and it is reported will assist him in his efforts to prove his innocence.

LONDON POLICE HEAD IS SHOT DOWN NEAR HOME

SIR EDWARD RICHARD HENRY, CHIEF COMMISSIONER, IS SERIOUSLY HURT.

London, Nov. 27.—Sir Edward Richard Henry, chief commissioner of the London metropolitan police, was shot and seriously wounded tonight by a man who had an alleged grievance against him.

Sir Edward was alighting from a motor car at his residence in Kensington on his return from Scotland Yard, when the man rushed up from the opposite side of the street and shot at him three times with a revolver.

One bullet entered the left groin, inflicting a dangerous wound; the others missed their mark.

The commissioner's chauffeur, who is an ex-politician, grappled with the assailant and overpowered him.

It turned out that the man, whose name is Brown, a month ago applied at Scotland Yard for a taxicab license, which was refused. Subsequently he wrote to the commissioner pleading for a reconsideration, but without avail. For this reason, he nursed a grudge against Sir Edward and lay in wait for him.

The commissioner has retained consciousness, but is suffering great pain. Attending physicians pronounce the wound serious but hope for Sir Edward's recovery.

TO TAKE BAR EXAMS. Helena, Nov. 27.—(Special.)—The names of those who will be permitted to take bar examination to be held here December 4 were made public today by the supreme court. There will be ten in the class as follows: George W. Buffcorn, J. L. Markley, Alex. Levinick and Edward Fitzpatrick, all of Butte; H. W. Funke of Choteau; Oscar J. Thompson of Missoula; Vernon E. Lewis of Great Falls and M. L. Rickman, Leon L. Wheeler and Hamilton Wright, all of Helena.

TRASK APPOINTED. Philadelphia, Nov. 27.—John E. D. Trask, secretary of the Pennsylvania Academy of Fine Arts, has been appointed director of the fine arts department of the Panama-Pacific exposition. It was announced here today. He will leave tomorrow for Chicago, where he will meet others interested in the art exhibition of the exposition. Mr. Trask has been connected with the Pennsylvania academy since 1884.

EXPENSES TO BE TAKEN UP. Washington, Nov. 27.—Expenditures for the completing of the Panama canal are to be taken up by the house appropriations committee soon after the return of chairman Fitzgerald.

ITALIAN IN BUTTE IS CONVICTED OF MURDER

Butte, Nov. 27.—John Netto, an Italian, was convicted of second-degree murder and sentenced to life imprisonment tonight for killing Mrs. Louisa Gaglioni, his sweetheart's mother, with a shotgun on December 15, last. The killing occurred in a saloon conducted by Mrs. Gaglioni and was the result of jealousy on the part of Netto, who resented an attempt on the part of Mrs. Gaglioni to allocate her daughter's love for him.

HAWTHORNE'S MINE WAS A CREVICE OF QUARTZ

WITNESSES ASSERT THAT TEMAGAMI-COBALT PROPERTY IN CANADA WAS WORTHLESS.

New York, Nov. 27.—William J. Burns of Boston, an incorporator of corporations, resumed the witness stand today at the trial of Julian Hawthorne, Joseph Quincy and others charged with using the mails to defraud in promoting Canadian mining stocks.

Burns, who was president, secretary and treasurer of the Temagami-Cobalt Mines company (a Hawthorne concern), in its preliminary stages, said Quincy furnished him with a draft of the minutes of the meetings before the meetings were held and that he thereby carried out with "dummy" directors of his selection the program indicated. "The directors' work duty," he admitted, was to attend meetings and put through the program furnished by Quincy.

The witness said he organized the Elk Lake-Cobalt Mines company in a similar manner and he identified the minute books of the directors' meetings and explained in detail the entire history of the company.

The trial in Portland, Me., on January 18, 1911, was conducted by him, he said. Similar methods were followed in the organization of the Montreal-James Mining company, he said, but he denied having anything to do with the organization of the Hawthorne Silver & Iron mines.

After Burns' testimony, United States Assistant District Attorney Thompson read into the records some of the minutes of the Temagami-Cobalt, Elk Lake-Cobalt, Montreal-James and Hawthorne Silver & Iron mines.

Quincy's charge for organizing a corporation through Burns, as a middleman, was \$250, according to these minutes, and Quincy was retained as counsel, early in the history of each company, at \$1,200 a year. The Temagami-Cobalt company got about \$30,000 for the 600,000 shares of stock sold through the agency of the Continental syndicate, the minutes showed.

Colonel Timmins, a mining man, testified that after reading Temagami-Cobalt stock circulars in September, 1908, he took an option on 500 shares. Later he went to the mine to inspect it and was shown a trench from which, he said, he was told by a foreman, valuable ore had been removed. His own inspection showed him only a quartz-filled crevice with traces of iron and copper sulphide.

At another opening, a 30-foot shaft, he found similar indications, he said. Timmins was not allowed to testify whether he exercised his option.

Dorothea L. Morley, a Denver engineer, described the mineralization of the same crevice and shaft. Accompanied by the foreman who was with the prospecting party, he visited Morley, he visited two other mine openings and at all four found indications as described by Timmins.

PUBLIC SUGAR BOWLS LOADED WITH GERMS. Washington, Nov. 27.—Loaded with white squares, heavily germ-encrusted, the restaurant sugar bowl is as great a menace to health as any anaerobic bomb ever hurled. Holding this opinion, Surgeon General Rupert Blue of the public health service declares that the profusion of public eating places should compel their managers to use sugar tongs in removing the sugar and never touch it with their fingers.

BANKER INDICTED. Grand Rapids, Mich., Nov. 27.—The federal grand jury here today returned an indictment against John Sibben, former assistant cashier of the First National bank of Manistee, Mich., charging him with the embezzlement of \$44,000 of the bank's funds. When the shortage was discovered in October, Sibben is said to have admitted that he had taken the money.

MARSHAL ACQUITTED. Colville, Wash., Nov. 27.—The jury in the case of C. E. Bartholomew, city marshal of Springdale, charged with the murder of C. H. Gneist, returned a verdict of not guilty early this morning. Gneist, a saloon keeper, was killed by Bartholomew when he interfered in an attempt by the marshal to arrest another man.

LESS TENSION IN EUROPE'S CAPITALS

AUSTRIA AND RUSSIA APPEAR TO BE QUIETING DOWN, BUT DANGER LINGERS.

SERVIA DEMANDS PORT

Albanians Declare Independence and All Turkish Flags Are Struck and the Officials Told to Clear Out—Negotiations at the Front Are Said to Be Making for Peace.

London, Nov. 27.—The tension in the Balkan crisis is relieved somewhat by the news that the peace plenipotentiaries are continuing their negotiations and that Great Britain and Germany are working actively to secure a peaceable settlement between Austria and Serbia.

According to one complete report, the difficulties in the way of arranging a formal armistice are so great that the negotiations are taking the form of seeking a basis for peace.

The danger of the resumption of hostilities, however, is still serious. Apparently only an informal armistice of 48 hours has been agreed upon and it is reported that the Bulgarian forces are moving closer to the Tebatadja lines and entrencing themselves in readiness to renew the attack.

The Turks have an army of more than 100,000 men, with 100,000 rifles, for the most part fresh picked troops, behind the lines, and it is certain, according to all the correspondents, they will give a good account of themselves if the fighting is resumed.

Under these circumstances with Adriaopole and Serrai still holding out, Turkey is little likely to show a yielding attitude in the peace negotiations.

The report that the Serbians have reached Durazzo appears premature. A wireless dispatch of today's date brings the interesting news that Albanian independence has been proclaimed there, that the Turkish governor is preparing to depart and that the town is accepting the new regime without opposition.

What attitude the Serbian army and government will assume toward this development should afford some idea of whether, as reported, Serbia is willing to accept the suggestion of an autonomous Albania.

The greatest weight is attached in the diplomatic world to the seemingly authenticated report that Great Britain and Germany now are acting in cordial co-operation on the basis of postponing all issues toward the war settlement. A reassuring statement comes from St. Petersburg that Russia and Austria do not desire to fight over a port in the Adriatic.

Thus what appeared to be an imminent danger of Europe being divided into two hostile camps seems to be dissipated for the time being at least.

Turks in Strong Force. Constantinople, Nov. 26.—(Unverified.)—According to an officer of high authority who has just returned from the front, the Turks at the Tebatadja lines now number 102,000, and they will soon be increased to 125,000.

At the time of the first attack on the lines, the Turks numbered not more than 70,000.

The war between men on the lines will be soon back to a cease-fire and their places taken by troops now being brought up. The new recruits are considered of high value as they are unbroken men. Those from the Black sea, 20,000, are the pick of the army.

The officer says the army is in no mood for peace, but expects soon to take the offensive and that the war is likely to continue for some time.

WICKERSHAM PUZZLED. Washington, Nov. 27.—Whether to begin a globe-trotting trip in the direction of the setting sun or turn his face eastward, is the problem that is now occupying the attention of Attorney general Wickersham, who has announced that he is contemplating a trip around the world with Mrs. Wickersham, just as soon as he retires from public life.

FROST CASES SET. Chicago, Nov. 27.—Trial of the cases against Albert G. Frost and others under indictment for alleged conspiracy to defraud the government of coal lands in Alaska, valued at \$10,000,000, were set today by Judge Landis for February 17. The defendants entered pleas of not guilty when they were arraigned.

POE COTTAGE IN DANGER. New York, Nov. 27.—The Poe cottage in upper New York, where the poet lived from 1845 to 1849 and where his wife died, is in danger of being seriously damaged by the erection of a tall building beside it and the city probably will appropriate \$5,000 to buy the cottage and remove it to Poe park, nearby.