



TO ATTACK OIL TRUST. GOVERNMENT WILL ACT. Mr. Moody Announces Plan to Prosecute the Standard.

Washington, June 22.—Acting under instructions from President Roosevelt and after an unusually long Cabinet discussion of the matter, Attorney General Moody this afternoon announced that the Department of Justice would begin criminal prosecution against the Standard Oil Company.

The Attorney General also announced the appointment of Frank M. Kellogg, of St. Paul, and Charles B. Morrison, of Chicago, as special counsel for the government to handle the prosecution.

RAILROADS TO COME LATER. The government will take up the cases of the railroads at the proper time.

Rumors that the administration was about to fire another shot in the direction of Wall Street have been floating about the Capitol for the last two days.

Attorney General Moody did not indicate today where he intends to fire the first gun in his battle against the Standard. The majority of those who are interested in the matter predict that Ohio will be the first battling ground.

MR. MOODY'S STATEMENT. The following is the statement issued by the Attorney General:

After full consideration of all the information now available, including the report of the Commissioner of Corporations and the evidence taken by the Interstate Commerce Commission, I have reached the conclusion that criminal proceedings against the Standard Oil Company should be begun in certain cases where there appears to have been a violation of the laws regulating interstate commerce and prohibiting rebates and other unlawful discriminations.

I shall continue the investigation of the affairs of the Standard Oil Company and of such companies as have been or may be brought to the attention of this department, with the view of ascertaining whether or not there has been any violation of the Anti-Trust act or of any other Federal law.

Asked what he thought of the statement from Washington that the administration had decided to begin criminal actions against the Standard Oil Company, as a result of investigations based upon the Garfield report, a representative of the corporation said yesterday afternoon:

NEW YORKER INDICTED. Rudolph Kleybolte Charged with Coal Graft in Cincinnati.

Cincinnati, June 22.—Rudolph Kleybolte, a New York and Cincinnati broker, vice-president of the Marmes Coal Company, and Henry Burkholder, formerly an officer of the Lubrig Coal Company, were indicted to-day on a charge of obtaining money under false pretenses.

During the Dusen investigation it was charged that \$50 had been drawn from these two companies to be paid to Congressman Mullin for obtaining for them city coal contracts. Burkholder and Kleybolte, according to the books, got the money. Kleybolte refused to appear before the grand jury, but Burkholder testified that Mullin did not get the money. An effort will be made to have Kleybolte extradited.

MORGAN HORSES FOR GOVERNMENT. Lexington, Ky., June 22.—George M. Rommel, of Washington, D. C., and Professor C. F. Curtis, head of the Agricultural College of Iowa, members of the committee to select strains of the Morgan type of horse for the Government breeding bureau, to be established in Vermont, arrived here to-night in search of this type of animal.

PHALANX DANCED—WHO PAYS FIDDLER? Meriden, Conn., June 22.—A wine bill for \$225 is causing the reception committee of the recent Meriden centennial celebration considerable annoyance. The wine was consumed by the members of the Putnam Phalanx, of Hartford, which organization was one of the attractions of the town's celebration.

BURNED RUSHING THE FOURTH. Big Firecracker Goes Off Unexpectedly—Fills Boy's Face with Powder.

Believing that the fuse of a large firecracker had gone out, Edward Brennan, five years old, of Mill Road and Bay 44th street, Chaser Park, went over the firecracker yesterday afternoon, when it exploded suddenly, filling his face with powder and burning him severely.

EARTHSHOCKS IN CUBA. Many Buildings Damaged at Santiago—A Few Persons Hurt.

Santiago, Cuba, June 22.—Two earthquakes, half an hour apart, the first at 2 o'clock this morning, slightly damaged many buildings in this city and smashed crockery and drug stocks. Several persons were slightly injured by falling articles.

His elder sister, Rose, who was playing with her him, tried to rub away the powder with her dress. The boy was temporarily treated by a doctor at the Kings County Hospital, and was then hurried to the Kings County hospital, as it was feared that lockjaw would set in.

NEW SUBWAY BIDDERS. GATES AND DRAKE NAMED Plan Five Cent Expresses from The Bronx to Coney Island.

A rival bidder for the proposed East Side subway, running from The Bronx to Coney Island, it was announced yesterday, will present bids against those which the Interborough Rapid Transit Company will make. It is said, unofficially, that John W. Gates and several Western capitalists are back of the company, and that the money they will furnish, as well as some furnished by foreign capitalists, will make the bid not only possible, but the carrying out of a contract, if it should be obtained, also possible.

The new company was formed at the Waldorf yesterday afternoon, where several of the capitalists met to discuss the financial plans. The announcement of the formation of the company, as far as it went, was made last night by Joseph Caccavajo, a consulting engineer, of the Alpine. Mr. Caccavajo refused to say who the financiers were, but merely said they were Western and foreign capitalists.

The plans for the East Side subway, running from The Bronx to Coney Island, have been approved by nearly all of the city authorities necessary to make them operative. A commission has approved the plans, and the Appellate Division of the Supreme Court is expected to report shortly, undoubtedly favorably, on the report submitted to it.

The plans, in brief, call for a subway from The Bronx down the East Side, either through Third or Lexington avenue, swinging east to the Manhattan Bridge. It is planned to run the cars to the surface near the bridge and cross the bridge, and then, underground again, to run up the extended route of Flatbush avenue to Fourth avenue and then to Fort Hamilton. From the latter point the plans call for the subway branching off to Coney Island.

Mr. Caccavajo said that the capitalists back of the new company are in favor of a branch line from about 33d street, running west to the Pennsylvania Railroad station. This line, he said, may be in form of either a moving platform or a regular branch electric road.

He explained that the capitalists have decided that trains on express schedule shall run from The Bronx to Coney Island in from thirty to thirty-five minutes, and but one fare of five cents shall be charged.

The estimated cost of this subway is \$50,000,000, and Mr. Caccavajo said that the entire amount is ready if a bid should be secured. He said he had been commissioned to go ahead with preliminary plans for the bids, so that bids may be made as quickly as possible after the plans are approved and bids advertised for.

The Pennsylvania Railroad estimates that it will carry 35,000,000 people in its subway routes each year. Besides this, the new company formed yesterday is planning to cope with at least 15,000,000 more, in case the New York, New Haven & Hartford Railroad should secure a tunnel route from Long Island City, as is contemplated, and gives up its Grand Central Station connections. By a branch line across the city in the neighborhood of 33d street, it was said, this enormous number of passengers would be handled properly.

"All I am empowered to say," Mr. Caccavajo said, "is that the capitalists back of the scheme are absolutely responsible in every way, and not only have finances enough, but to spare. They are ready and willing to enter in competition with the Interborough, and we are only waiting to find just what route is decided on, whether Third avenue or Lexington avenue, before making our plans and arranging for the bids."

Mr. Caccavajo has been consulting engineer for several property owners' associations along routes of proposed subways, and was also interested in the engineering of the present Interborough subway.

TWO SKELETONS FOUND. May Be Bones of Detectives Who Joined Thieves.

Pittsburg, June 22.—Workmen who were tearing down an old building at First and Ferry streets this evening came upon two human skeletons buried under the floor of an extension. The bones crumbled when exposed to the air.

Previous to the tearing of the Brooks High License act in 1887 the building was a saloon and notorious thieves' resort, conducted by Hugh O'Donnell, alias "Oyster Paddy," now a bartender in a Wheeling, W. Va., saloon. The police working on the case believe that the skeletons are those of two detectives who came here in 1884 and joined the gang of safe burglars who made their headquarters at O'Donnell's place.

In the gang were such oldtime thieves as Bobby Adams, Mike Burns, Brocky McDonald, Joe Anderson and Jimmy Snyder. They are all dead now. The strangers joined this gang and helped them in the robbery of the Greenhouse Hotel at Hulton, at that time a well-known river racing course. More than \$5,000 was realized by this robbery.

Immediately after it occurred the strangers disappeared and were never heard of again. It was supposed they were murdered, but no evidence, not even their bodies, was found.

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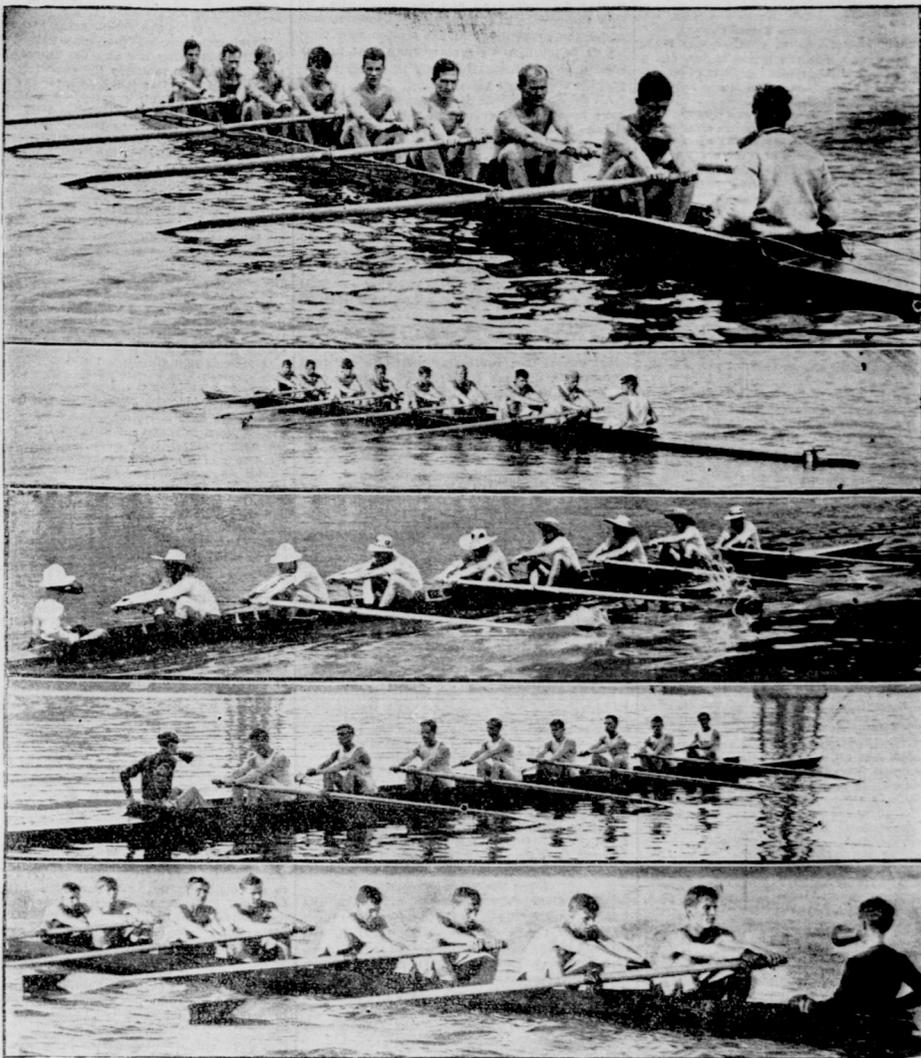
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SOME OF THE CREWS WHICH WILL ROW IN THE BIG REGATTA AT POUGHKEEPSIE TO-DAY.



THE 'VARSITY' CREWS OF COLUMBIA, CORNELL, SYRACUSE, GEORGETOWN AND PENNSYLVANIA, READING FROM TOP TO BOTTOM.

MRS. ZIEGFELD RESCUED. Sister-in-Law of Miss Anna Held Narrowly Escapes Drowning.

Mrs. Hugo Ziegfeld, daughter of Inspector W. McLaughlin, of the New York Police Department, and a sister-in-law of Miss Anna Held, was saved from drowning in Echo Bay, New Rochelle, yesterday afternoon, by Captain Harry Kane and ex-Judge John A. Van Zeln. Mrs. Ziegfeld lost her pocketbook containing money and jewelry totalling \$1,500 in value. Divers tried to locate the missing valuables but up to dark last night had failed.

Mrs. Ziegfeld was at the biller of William Birch's yacht, Sneaker, when suddenly a gust of wind caught the main sheet, and before Mrs. Ziegfeld could bring the Sneaker's nose straight she careened, filled with water, and sank, stern first. Mrs. Ziegfeld, who cannot swim, cried for help, and Ludolph Hugel, who was with her, made an effort to reach her.

AGED BRIDGE JUMPER. Tried Suicide with Umbrella Parachute—Another Leaper Drowned.

With his umbrella raised as a substitute for a parachute, John M. Glazer, eighty-one years old, tried to throw himself into the East River from the Williamsburg Bridge early last evening. Fortunately, he jumped from the promenade and landed in the roadway beneath. He was picked up with three ribs broken, still clinging to the umbrella. He was taken to Bellevue Hospital. "Tired of life," he murmured as he was being carried into the hospital. His wife died recently, and he left the German Evangelical Home for Aged Men, in Brooklyn, yesterday.

KAISER HELD TILLER. Emperor William Sails the Meteor to Victory at Kiel.

Kiel, June 22.—Emperor William sailed his own American built schooner yacht, the Meteor, to victory to-day in one of the races in the Kiel regatta. He handled the yacht over the full course of thirty-three miles.

TAKES BACK CONFESSION. Coroner's Jury, However, Says Mrs. Arnold Killed Phelps.

St. Louis, June 22.—A coroner's jury to-day found that Frank D. Phelps was shot to death by Mrs. Bettie Reeves Arnold, despite Mrs. Arnold's retraction at the inquest of her confession to Chief of Detectives Desmond yesterday. Just before the jury retired Mrs. Arnold under oath said:

The real truth is this: I was frying supper over the stove in the kitchen on Wednesday night when I heard the shot in the back room and ran back and saw Frank was dying. I did not fire the shot. He killed himself. I wanted to tell the story to Chief Desmond, but he kept saying to tell the truth, kept saying it could not have happened that way. I was nervous and sick and wanted to get out of that room. I thought if I told him what he wanted me to tell I could get out quicker. That's why I lied to him. I wanted to get out. Why should I want to kill him? I clothed him, fed him, gave him money.

W. C. Arnold said: My wife's name is Bettie Reeves. She is from the mountains of Kentucky. George Reeves, her brother, whom she yesterday confessed having killed seven years ago, was here the year of the cyclone. I saw him alive three years ago. She never killed him and was never on trial for murder.

Arnold identified the handwriting in Phelps's farewell note as his wife's.

RATE AGREEMENT DONE. TILLMAN NOT SATISFIED. Objects to Exemption for Pipe Lines—May Not Sign Report.

Washington, June 22.—The conference report on the Railroad Rate bill was not filed in the House to-day, as expected. The report has been drawn and signed by the three House conferees, Messrs. Hepburn, Sherman and Richardson, and also by Senator Eklins, of the Senate conferees. Senator Tillman objects to one feature of the settlement, and Senator Cullom, it is understood, will sign the report to-morrow. Senator Tillman went to Philadelphia to-day, but is expected here to-morrow. He will have an opportunity to sign the report, but should he decline, it will be filed in the House without his signature.

The part of the agreement to which Senator Tillman objects is the compromise proposition, which would apply the McLaughlin commodity amendment to railroads only, instead of to common carriers, so far as it prohibits them from carrying commodities which they produce. By this arrangement the amendment making pipe lines common carriers is not affected. What is regarded as an important amendment, which was agreed to at to-day's conference, was the striking out of the word "willfully" in the provision which forbids the granting of or accepting of rebates. The word "knowingly" was left in the provision. The effect is that a person must simply "knowingly" offer or receive a rebate, it not being necessary to prove that the act was "willfully" done.

Under the rules of the House the conference report will have to be printed in the "Congressional Record" before it can be acted upon. Should the report be filed to-morrow it will not be available for action until Monday. If Senator Tillman persists in his refusal to sign the report it will be presented in the Senate by Senator Cullom, according to the procedure governing such matters.

WATCH FOR ANARCHISTS. Russian Agents Constantly on Look-out at Local Libraries.

The arrest of a man charged with stealing books from the Astor Library yesterday developed the fact that the Russian government has for several months had an agent always in the library to watch the movements of persons who read or make notes from books on the subject of anarchy.

C. H. A. Bierregaard, librarian at the Astor, confirmed this, and said that the Russian government had spies constantly working with its agent in the library.

Yesterday a young man, who said he was Henry Melnek, of No. 270 Bowers, took two books from the library. Detective Fitzgerald, of the Mercer street station, arrested Melnek, who was taken to the Jefferson Market police court. One of the books was a copy of Perez's travels in Siberia, and the other a German translation of Verne's "Around the World in Eighty Days." Magistrate Mayo held Melnek in \$250 bail for trial in Special Sessions. The Perez volume is anarchistic in tone, and persons who use it have been looked on with suspicion by the Russian agent. Melnek has been watched by the Russian agent because he has often used books on anarchism.

The Russian secret service agent is not known to persons other than the library officials. The agent has two or three assistants, who follow persons designated by the agent, learn their addresses, and follow them at night to learn their habits and what places they frequent.

The American auxiliary bark Apache, with its owner, Edmund Randolph, of the New York Yacht Club, and Mrs. Randolph on board, arrived here to-day. Frederick W. Whitbridge, who was the Swedish Ambassador of the United States at the wedding of King Alfonso and Queen Victoria of Spain, dined with the Emperor to-night on board the Hamburg.

In anticipation of the arrival here to-morrow of Congressman Nicholas Longworth and Mrs. Longworth, the navy yacht Albatross, which is stationed at Wilhelmshaven for the use of Admiral Bendemann, has been brought to Kiel, and is anchored opposite the castle.

WILD WEST AT WALDORF. Bat Masterson and Colonel Plunkett Get Belligerent.

The café guests of the Waldorf-Astoria got a broad outline of life in a Western saloon late last night when "Bat" Masterson, United States marshal, ran across his sometime friend, Colonel Plunkett, from Arizona. The dreaded "Bat" gathered himself into the café with blood in his eye, and he had hardly been in a moment when he spied the colonel.

"Colonel Plunkett, eh? I thought you wuz a friend of mine?" "Bat" stammered out. Colonel Plunkett said he had not changed his opinion of the marshal, but the marshal was not in a mood to be convinced. He grabbed the colonel by the coat, and with "Let's go outside" started to drag Plunkett out. Plunkett has a reputation for gun fighting that is said to be equally as brilliant as that of Masterson. But he was inclined to be submissive last night. Not so his friend E. Dinklesheet, who was sitting at a table with him before Masterson entered.

Dinklesheet got furious when he saw Masterson grab the colonel by the coat. He rushed across the café and struck Masterson a terrific blow in the face. The colonel was amazed at the bold stroke, and Masterson was almost beside himself. It was a "dead game" thing to strike "Bat" Masterson, he thought. The next moment Dinklesheet was sprawling on the floor from several terrific blows landed by the United States marshal.

After that Bat thrust his hand into his side pocket, it was said, and everybody thought there was to be a real Western scene, and jumped out at once. The pocket was thrust against the colonel, and then Smith, the house detective, intervened. He grabbed Masterson and invited him to get out, which he did at once. The colonel and his friend were taken out by another door.

NO FEET, NO FUNERAL. Philadelphia, June 22.—Because his feet could not be produced, the Coroner to-day stopped the funeral of a workman who had been accidentally killed at Baldwin's locomotive manufactory.

EQUINOX GINGER CHAMPAGNE—FINEST. True Ginger Flavor. Try It—Adv't.

GIBSON PROVES ALIBI. MRS. STENTON UP TO-DAY. Priest Discredits Testimony of Mrs. Schippo—Lawyer's Statement.

For more than two hours yesterday Burton W. Gibson, Mrs. Kinnan's and Mrs. Stenton's lawyer, was examined by an Assistant District Attorney and Coroner McDonald in the "star chamber" investigation into Mrs. Kinnan's murder. The lawyer established an alibi on the night of the murder, June 8, accounting for practically every moment of the night.

When everybody was filling out of the Coroner's office Captain Price came out close to Mr. Gibson. Some one asked Captain Price if the lawyer was under arrest.

"I can give you my word of honor," said the detective, "that if Mr. Gibson leaves this building with me it will not be as a prisoner—not on to-day's developments, at any rate."

The story of how Mr. Gibson became possessed of a large interest in the Stenton estate, the facts of which were told in The Tribune two days after the murder, was revealed. He underwent a long examination on this subject, and after the hearing Coroner McDonald said that there was not the slightest evidence produced at the hearing that there had been any illegal act committed by the lawyer.

Mrs. Stenton will be the first witness at the hearing this morning. The hammer which was found concealed behind her bed on Sunday will be in evidence then and she will be confronted with it. The coroner has three or four other weapons, all of which might have caused the wounds on Mrs. Kinnan's head. An effort to have Mrs. Kinnan's husband testify will also be made. A piece of Mrs. Kinnan's skull, which was shown yesterday, will also be shown to-day. It is considerably larger than a silver dollar, and is of unusual thickness. To break such a piece clean from the rest of the skull would require a heavy blow. The wounds started from behind the base of the right ear across the back of the skull to the top of the left ear, indicating that a person somewhat shorter than Mrs. Kinnan had hit her. There was also a big bruise across the neck, where apparently the murderer had misad aim and struck Mrs. Kinnan with the handle of the weapon.

The latest statement of the Schippo woman that she had confessed to a priest that she had heard Mrs. Kinnan moan as she was dying. "That devil lawyer hit me!" was discredited yesterday when the priest to whom she went was found. He was Father Cannon, of the Church of Our Lady of Mercy, at 150th street and Pelham avenue. Father Cannon denied absolutely that the woman had told any such story to him. He said that she had approached him in the street on the Feast of St. Anthony, June 13, with a picture of the saint, which she asked him to bless. She wanted this done because there had been a murder in her house which greatly distressed her. The priest blessed the picture and told her not to worry, as she was not in any way implicated, and the woman went away.

MRS. LUND ON STAND. Mr. Cardozo, the young man from District Attorney Jerome's office, was in charge of the preliminary hearing again yesterday, and no one except witnesses was admitted to Coroner McDonald's room. Mr. Gibson brought with him two court stenographers, who were excluded, his demand for a public hearing being refused. Loretta Ryan, a neighbor of Mrs. Stenton, was the first witness, but was unable to throw any light on the subject. Then Mrs. Sidney Lund, Mrs. Kinnan's stepdaughter, was called into the coroner's room. She had not visited her stepmother for eighteen years, not since she left her home, when she was thirteen years old. Her testimony threw no light on the case, beyond confirming the stories of Mrs. Stenton's eccentricities. She said that the old woman was miserly and "peculiar."

Asked about Mrs. Kinnan's mysterious absences from the house, witness said that Mrs. Kinnan was often away five or six nights a week. On these occasions she always went downtown heavily veiled and clad in black. Where she went the witness said that she did not know.

Robert Flaherty, who once held a power of attorney from Mrs. Stenton for a few days to have it revoked in favor of Mr. Gibson, followed. According to Coroner McDonald, he displayed considerable animus against Mr. Gibson while on the stand, but was unable to show that the lawyer had committed any illegal act.

It was late in the afternoon when Mr. Gibson, by far the most important witness yet summoned, was called into the little office. He was accompanied by Watt L. Crosby, of Brooklyn, Supreme Court stenographer, and Whitefield Sammis, stenographer in the criminal branch of the Supreme Court in this county. Mr. Cardozo at once demanded that these be ejected, to which the lawyer objected. Coroner McDonald said that since his own stenographer was present, he saw no need of any others, and the two men were excluded.

PUBLIC HEARING DEMANDED. Mr. Gibson then demanded that the hearing be held in the public courtroom, and that the reporters be admitted. This was refused emphorically by the Assistant District Attorney, and the examination of Mr. Gibson began after he had taken a legal exception.

Mr. Gibson was pale and obviously nervous, according to those present. Certain details were got from him with difficulty, many questions being necessary to obtain some slight information. When he was asked to tell where he had been the night of the murder, he hesitated a long time before he told of his movements that night. In regard to his business relations with Mrs. Kinnan and Mrs. Stenton particularly did the questions have to be pressed.

The night of the murder he said he left his office, at No. 116 Nassau street, at about 8 o'clock, going to a saloon, which he reached at about 8:15. There he met several friends, whom he named. Then he went over the Brooklyn Bridge by trolley to the Hotel Imperial, where he had dinner, staying until about 10 o'clock. From there he said he went to the Kings County Democratic Club, in Schermerhorn street, where he declared he talked with Senator McCarran and a man named Quinn. Leaving there about 12:15, he went home and to bed, to be awakened by a telephone message about 1:30 a. m. He gave the names of several persons who saw him that evening, and the police will try to confirm his story to-day.

Witness said that he had visited the house twice on the day before the murder, once in the morning and once in the afternoon, to close a deal to sell the property. The property was sold to Archie McFarland, acting as an agent for some person whom Gibson said he did not know. The details which he gave concerning the property were practically those printed in The Tribune.

Mrs. Joseph Lee, the wife of the saloonkeeper at 182d street and Pelham avenue, the last witness, said little of consequence, beyond that