

### SEEKS TO CANCEL BLAIR'S INSURANCE.

Mutual Life Company Delivers Premiums on \$250,000 Policies to Federal Court.

### FAMILY CITED TO TESTIFY.

Charges of Fraud and an Attempt to Commit Suicide Are Set Forth in Petition to Be Heard This Month.

Papers were served on James L. Blair, his wife and two sons yesterday afternoon by United States Deputy Marshal Straker, calling for the family's appearance in the United States Circuit Court to show cause why certain life insurance policies held by Mr. Blair in the Mutual Life Insurance Company of New York should not be canceled.

Petitions were filed in the United States Circuit Court by the St. Louis counsel for the insurance company. The petitioners ask that the court cancel and declare null and void two policies, amounting to \$250,000, taken out by James L. Blair.

The unearned premiums, together with the interest accumulated, already paid by Mr. Blair on the two policies amount to \$33,064.47. This amount was paid into the Circuit Court, to be paid back to Mr. Blair in case the policies are canceled.

In one petition Mr. Blair and his wife, Apolline, are made the defendants. In the other Mr. Blair, his wife and two sons. No date has been set for a hearing of the case. The papers served call for the appearance of the defendants at a date not later than December 1, 1903.

The two policies which he now has in his possession are for \$200,000 and \$50,000. The direct reason for cancellation is that James L. Blair, it is charged, made misrepresentations to the company when he made application for the policies.

McKeighan & Watts, F. H. Bacon and Edward Lynn Short are counsel for the Mutual Life Insurance Company. They refused to discuss the subject.

It is alleged that on December 23, 1901, James L. Blair made and signed a written application to the Mutual Life Insurance Company of New York for a policy of life insurance amounting to \$200,000. The policy was made payable to his wife, Apolline M. Blair, and in case of her death to the executors and administrators of the estate.

Afterwards by mutual consent the policy was modified by an endorsement that in event of the death of the beneficiary, Apolline M. Blair, subsequent to that of the insured, and prior to completion of payment of policy in twenty annual installments, the remainder would be paid, when due, to the children, Percy, Fred and Francis P. Blair, share and share alike, or to the one surviving.

On the policy Blair agreed to pay an annual premium of \$7,023. This was commuted to a quarterly payment of \$1,900.30.

In the application by Blair for the policy it is alleged he declared and warranted his occupation to be attorney at law and capitalist.

PETITIONERS EXPRESS BELIEF IN CRIMES.

The policy was approved and issued on January 23, 1902, and was delivered to Blair, and is now, so it is said, in his possession.

On this policy the premiums have been paid up to and including the quarterly payment, due October 8, 1902. The premiums, with interest, paid on this policy amount to \$15,446.20. In the petition the Mutual Life Insurance Company charges and alleges, upon information and belief, that at the time of the application for the policy by James L. Blair, he was not a capitalist, but was, on the contrary, heavily in debt and insolvent, which part he knew, but the truth of which the company had no means of ascertaining.

It is also alleged that at the time of the application, and for ten years previous, Blair was guilty of the crimes of forgery, embezzlement and the obtaining of money from persons and corporations under false pretenses, and that by forging notes, fictitious mortgages and deeds of trust, apparently securing the same, and negotiating same upon the representation that they were valid, and subsisting liens against property worth more than the amount of said mortgages and deeds of trust, he obtained large sums of money, more than \$200,000, from persons who had confidence in him, and which sums he converted to his own use.

The petition also avers that at that time Blair was defaulter to trust estates committed to his care, from which he had embezzled \$30,000, all of which he concealed from the insurance company, which, if it had been known, no policy would have been issued.

It is also stated that Blair intended to commit suicide if he was exposed, and thereby intended to defraud the insurance companies of the amount of the policy. It is also charged that Blair, when exposed, did attempt to commit suicide on October 15, 1903.

On November 2, 1903, the petition avers, the premiums on the policy, together with the interest accumulated, was tendered to James L. Blair on condition that he would cancel the policy. He refused to do this. Percy Blair stated yesterday that his father had been offered a large sum if he would agree to cancel the two policies. The amount was larger than the premiums which had been paid. He declined to state the amount offered.

John F. Lee is attorney for James L. Blair.

### FARRIS DENIES LEE'S STORY OF BOODLE TRANSACTIONS; CASE GOES TO JURY TO-DAY.

Six Other Senators Take the Stand in Endeavor to Impeach the Testimony of Former Lieutenant Governor — Defense Lays Much Stress on Letter Said to Have Been Written by Lee in Which He Tells Kelley He Returns the \$7,000 Alleged to Have Been Paid to Farris—Lee Says Letter Is a Forgery.

### LEE-KELLEY CORRESPONDENCE IS READ IN COURTROOM.

The defense closed its case in the Farris boodle trial at Jefferson City last evening. After some brief testimony in rebuttal by the State this morning the attorneys will make their arguments and the case will go to the jury. Senator Farris took the stand in his own defense.

He denied emphatically that he ever received a cent for his vote. He said he did not know Daniel J. Kelley at the time the alum repeal bill was up.

Six other Senators corroborated Farris's testimony in an endeavor to impeach Lee's testimony.

One of the features of the day was the reading in court of the Lee-Kelley letters.

Only one of these seems to have any direct bearing on the case. This was a letter to Kelley in which Lee speaks of drawing out \$7,000 on March 10, 1901, and returning it to Kelley.

It was on this date that Lee is said to have drawn out the \$7,000 for Farris to distribute among the Senators who defeated the alum repeal bill.

Lee denied writing the letter, but Paying Teller Hettel of the American Exchange Bank thought it was in Lee's handwriting.

Depositions of Daniel J. Kelley, taken several days ago by the defense, were not introduced.

Farris's testimony was unshaken by the State, but Attorney General Crow succeeded in tangling some minor witnesses on cross-examination.

It is expected the case will go to the jury by noon to-day.

BY A STAFF CORRESPONDENT.

Jefferson City, Mo., Nov. 5.—With the flat denial by Frank Farris and six other Senators of charges made by John A. Lee and with the reading of the latter's letters the defense rested its case this afternoon. Mr. Crow announced that he would have some brief testimony in rebuttal early to-morrow.

Court was then adjourned until 8:30 o'clock to-morrow morning.

Judge Graves stated he would hear the requests of the attorneys to-night in regard to the instructions to the jury.

The State is expected to conclude its rebuttal in short order to-morrow morning when both sides will close unless the defense should decide to put a witness on the stand, which is not at all likely. Judge Graves will present his instructions and the attorneys will make their arguments, when the case will be given to the jury. It is thought it will reach the jury early in the afternoon.

Each side is satisfied with its presentation of the case and its evidence. Through the defense announces that it expects an acquittal, through the unbroken testimony of Farris and six other Senators and of numerous other witnesses it called to-day, both Mr. Crow and Assistant Attorney General Sam B. Jeffrey say that they are content to let the matter rest as it is and for the jury to pass judgment.

Just as the defense failed to break the testimony of John A. Lee or make him contradict himself in matters relating to this particular case, so the State failed to shake Farris or the other Senators in their statements.

SENATOR DENY LEE'S TESTIMONY.

Haynes, Matthews, Smith, Costello, Orchard and Morton appeared on the stand to-day, and all denied Lee's story.

To these flat contradictions of the case Attorney General Crow paid little attention. But he took the witnesses of the defense up on other points, and had several of them wavering at the end. One of these was Doctor Pennington of St. Louis, whom Crow forced to admit that he was very hazy in memory as to exact details of the case on which he was being examined.

The latter said that he could not recall the defense in his case upon the testimony of Senators who deny the transactions Lee claims took place; the corroboration of points as to allis for Senator Smith at the time he was said to be at the Laclede Hotel; the introduction of character witnesses, and the Lee letters it is asserted exists in the Lee tradition submitted.

One of these epistles was not identified by Lee. As the defense seemed to build much on the testimony of this document, it called in Paying Teller Hettel of the American Exchange Bank and asked him to give expert opinion as to the handwriting.

TELLER IDENTIFIES LEE'S SIGNATURE.

The latter said that he knew Lee's signature, and that he believed the handwriting and signature were those of the former Lieutenant Governor. On this statement Judge Graves permitted the letter to be introduced. It referred to a check for \$9,000 the writer claimed Kelley had sent him, but stated in the last paragraph that the writer had returned \$7,000 of this sum.

On this reference to the exact sum mentioned by Lee as having been distributed to the seven Senators the defense lays great stress.

The letter is dated from St. Louis, March 2, 1902, and bears the letter head of the Lieutenant Governor's office, in the Temple building. It is signed simply "Lee," and is as follows:

"Friend Kelley: You or I might die and the situation out here, without you to protect me and without me to protect you, might become, through my neglect, one where there might be a necessity to show to the courts, if so required, certain matters of business which transpired in their proper light.

I therefore suggest that you write me on the letter head of the National Health Society a copy of a letter which you send me about a year ago, wherein you mailed me a check for \$9,000 for collection and use in certain directions. I have forgotten the exact date, but you can find it by the date of the check, if you retained a copy.

For fear that you did not retain a copy of it, having mysteriously destroyed the copy I had, I give you my recollection as closely as I can of the contents. It was mailed here from New York about the date of the check, probably the day it was dated, and addressed to me at St. Louis, although at the time I was in Jefferson City.

You will remember that I paid you back \$7,000 of the money when you were in St. Louis, March 18, 1901, as you were starting to New York, and that the remainder was needed as directed, and is still so invested. Truly yours, LEE.

The date of March 19, 1901, is the same day on which Lee claims to have drawn the money from the American Exchange Bank and taken it to Farris's room in the Laclede Hotel.

STATUS OF THE CASE AS IT NOW STANDS.

As the case now stands, the State has introduced John A. Lee to testify to charges against Farris. It has produced

Continued on Page Two.

### REVOLT OPENS WAY TO COMPLETE GREAT TASK.



CULEBRA CUT OF THE PANAMA CANAL NEAR COLON. In the digging of this great ditch, which is necessary to the completion of the canal, the French company organized by friends of the ill-starred De Lesseps lost many of the millions of dollars which it wasted on the isthmus. The actual excavation, however, will be that much toward the carrying out of this great work, the dream of engineers and statesmen for many years.

### PANAMA REBELS FULLY CONTROL ISTHMUS; MARINES GUARD COLON UNTIL TROOPS DEPART.

### PRESIDENT CONFERS WITH HIS CABINET ON THE SITUATION.

### United States Will Be Friendly Toward the Infant Republic and Will Wield a Strong Hand.

Washington, Nov. 5.—President Roosevelt to-night received the news that General Tovar and all the Colombian Government troops in Panama had evacuated the isthmus, leaving the revolutionist provisional Government of the new "Republic of Panama" in undisputed control and apparently headed straight toward the establishment of a stable government which will be willing to let the United States build the Panama Canal for a reasonable figure.

The President immediately held a conference with Secretary Hay and Assistant Secretary Loomis of the State Department, Secretary of the Navy Moody, Rear Admiral H. C. Taylor, Chief of the Bureau of Navigation, and Rear Admiral John Walker, chairman of the Isthmian Canal Commission.

No official statement has been made, but it was learned from among these persons that the administration regards the provisional Government as stable.

Recognition will, of course, not be extended formally until a permanent government has taken the place of the present administration of affairs, but practical recognition has already been accorded to the proclaimed Republic by Commander John Hubbard, who exercised his offices in bringing about the agreement of General Tovar to abandon hope of relating the revolutionists and to evacuate.

EUROPE SATISFIED.

Advices received from Europe stating that European Governments generally approve this Government's policy on the isthmus were gratifying to the administration officials. The suggestion that the United States, in wielding such a strong hand on the isthmus, will probably subject itself to demands from European Powers to "police" other parts of South America where foreign interests are endangered does not seem to be regarded seriously by the administration, alongside of the bloodless establishment on the isthmus of a new Government which will be in full harmony with the United States.

The cruiser Baltimore, which should now be at Puerto Plata, Santo Domingo, will be given orders at once to proceed to Colon, thus making a total of eight ships ordered there.

American naval influence will be much in evidence during the formation of the new Government.

PLANS FOR RECOGNITION.

Whether it will be recognized hurriedly is not certain. Either in his message on Monday or in a special communication the President will call the attention of Congress to the newly created conditions on the isthmus. If Congress approves—and administration leaders will be called upon to influence it to approve—the new "Power" will at once be recognized.

Although the Washington Government has been aware for fully three days that the revolution would succeed, it has not been decided who will represent the United States in a diplomatic capacity at the capital of the new Republic.

### GERMANS APPROVE IDEA OF AMERICAN AGGRESSION.

Berlin, Nov. 5.—Responsible opinion in Germany regarding Panama is probably expressed as well in the following, from the Frankfurter Zeitung, as from any newspaper.

"What role the Washington Government played in the incidents in Colombia nobody can know. Nothing can be proved in such cases. It has been formerly denied from Washington that the Government of the United States supported the movement for the separation of the isthmus.

"However that may be, it is not striking nor does it give occasion for special

### FEIN GETS 5 YEARS AND \$1,000 FINE.

Prisoner's Wife Assaults Aaron Goddesman, Who Testified Against Her Husband.

### SENTENCED BY JUDGE ADAMS.

Court Severely Arraigns Defendant for His Complicity in Falsely Obtaining Naturalization Papers for Aliens.

Immediately after Judge Adams of the United States Court, at 8:40 yesterday afternoon, sentenced Adolph Fein to five years' imprisonment and assessed a fine of \$1,000 against him for false swearing and aiding and abetting in naturalization frauds, his wife created a scene in the corridors of the Federal building by assaulting Aaron Goddesman, whom she accused of being the cause of the severe sentence against her husband.

Mrs. Fein was outside the United States Marshal's office and was weeping and screaming hysterically when Goddesman with several others came along. She at once attacked him. Before she could be restrained Mrs. Fein had struck Goddesman several staggering blows on the head which all but floored him.

Goddesman is of slight build and Mrs. Fein is a woman weighing close to 90 pounds. Her assault was accordingly more than ordinarily effective. Goddesman made no attempt to defend himself, except by covering his head with his arms and retreating down the corridor as fast as the heavy blows of the infuriated Mrs. Fein would permit.

Two Deputy United States Marshals finally secured Mrs. Fein and saved Goddesman from further beating. Fein's wife, still screaming and crying, was led into the Marshal's office, where her husband was awaiting removal to the city jail.

JURY OUT SHORT TIME.

The jury in the case against Fein was out only thirty-five minutes. It took but ten minutes of this time for the verdict of guilty to be found. The rest of the time was consumed in preliminaries and arranging the form of the verdict.

Judge Adams sentenced Fein to two and a half years' imprisonment for false swearing in the procuring of naturalization papers, and in addition assessed a fine of \$1,000. Upon the count charging aiding and abetting in securing fraudulent naturalization papers for aliens he was sentenced to two and a half years' imprisonment at hard labor.

The only witness in the afternoon was Mrs. Goldberg of No. 14 High street. She testified that Wednesday evening, after the Fein trial, the defendant came to her house, where Charles Hecht, one of the witnesses for the Government, lives, and with revolver in hand, threatened to kill Hecht and all witnesses who had testified against him.

Bert D. Norton, Assistant United States Attorney, made the first speech for the Government. He spoke for an hour, reviewing the history of the case and explaining the methods by which the naturalization frauds were perpetrated.

Judge Thomas B. Harvey spoke in defense of Fein. He dwelt on the testimony as to the alibi which it was attempted to prove for Fein.

United States District Attorney Dyer closed for the Government. He made a strong appeal against the practice of naturalizing aliens and deprecating the influx of the ignorant foreign element. Congress, he said, should shut out all immigrants who could not show a clean record as good citizens in the country from which they came.

### FRANCE WILL SEND WARSHIP.

To Help Celebrate Louisiana Transfer at New Orleans.

Paris, Nov. 5.—Ambassador Porter has been advised that the French Government will send a warship to New Orleans December 15, to take part in the celebration of the French transfer of Louisiana.

The city of New Orleans has forwarded a handsomely engraved invitation to President Loubet, and the members of his Ministry, which General Porter has presented. The matter was considered at the last council of Ministers, and it was decided to have the Government represented by a warship.

### MRS. BLAIR DELAYS MEETING.

Lady Managers Will Not Convene Until December 15.

Little Rock, Ark., Nov. 5.—Mrs. Frederick Hanger of this city, Secretary of the Board of Lady Managers of the St. Louis World's Fair, has received a telegram from Mrs. James L. Blair of St. Louis, President of the board, notifying her of the postponement of the meeting called for next week until December 15.

The postponement was decided on at the suggestion of President Francis of the Exposition and President Carter of the National Commission.

### MAY APPOINT GENERAL MILES.

McClellan May Make Him Police Commissioner of New York.

### LEADING TOPICS TO-DAY'S REPUBLIC.

THE SUN RISES THIS MORNING AT 6:31 AND SETS THIS EVENING AT 4:56. THE MOON RISES THIS EVENING AT 6:24.

GRAIN CLOSED: ST. LOUIS—MAY WHEAT 80c BID; MAY CORN 40c BID. CHICAGO—MAY WHEAT 79c ASKED; MAY CORN 43c ASKED.

WEATHER INDICATIONS.

For St. Louis and Vicinity—Partly cloudy and colder to-day; fresh northerly winds.

2. Steel Trust Cuts Prices.

3. Battleship Testimonial.

Hanna Ordered Editorial Out.

4. Chinese Demand War With Russia.

5. Happenings in East Side Cities.

6. St. Louis Defeats Illinois College.

### REPROACHES UNITED STATES WITH FOMENTING REBELLION

Mexico City, Mexico, Nov. 5.—El Tiempo, the usually conservative Catholic organ of this city, puts all the blame for the Panama rebellion upon the United States, saying:

"Profound stupefaction was caused in Mexico by the news that another rebellion had broken out on the Isthmus of Panama. This stupefaction, this indignation, is due to the fact that this is perceived not to be another revolution added to the already long list of those that have occurred in South America, and most particularly in Colombia, but is the farcical prelude to a terrible drama which is about to unfold itself on the coveted isthmus, and which will end, perhaps, with the dismemberment of unhappy Colombia and the augmentation of the prestige and power of the United States on the American continent.

### WOMAN FOUND DEAD THOUGHT TO BE MRS. J. M. MCCOMAS.

Oklahoma City, Ok., Nov. 5.—A woman who was found dead in a hotel here today was identified to-night as having lived here for the past four weeks as Miss Edith Prather of St. Louis. Documents found show that she was married at Belleville, Ill., to Doctor J. M. McComas, of Elk City, Ok.