



THE SPOKANE RATE CASE

Estimated Rebuilding Cost Too Great.

H. P. GILLETTE TESTIFY

Refutes Testimony of Railroad Engineers as to Cost of Rebuilding Roads.

HARRIMAN LINES TESTIFY

"If The Rate From East To Spokane Is Too High Then The Rate From Interior To Portland Is Too High"—James G. Woodworth.

PORTLAND, April 17.—According to traffic manager, James G. Woodworth of the Northern Pacific, if rates from the east to Spokane are too high, then also, those from Portland to the interior are too high.

The statement was made during the examination of Mr. Woodworth before Interstate Commissioner Prouty today, in the hearing of the Spokane rate case. Besides this statement, Woodworth explained at length, the making of rates and their basis.

R. B. Miller, General Freight Agent of the Harriman lines, was the next witness and he submitted estimates of what such a reduction would mean to his system.

The anticipated refutation of the testimony of chief engineer Darling of the Northern Pacific and Chief Engineer Hogeland, of the Great Northern, came on schedule time, today, when H. P. Gillette engineer of the Washington Railroad Commission was called to the stand by the Spokane attorneys. Gillette ruthlessly clipped and trimmed the estimates of the two railroad engineers for the rebuilding of these two lines. He said Darling's estimate of the cost of rebuilding the Northern was \$75,000,000 too much and Hogeland's estimate he declared should have been pruned to the extent of \$34,000,000.

J. C. H. Reynolds and W. C. Merriweather, of Spokane, testified as to the values of the railroad holdings in Spokane and Seattle. H. McCune the rate expert brought here by Spokane testified on the several classes of merchandise and that the railroads carry several classes of merchandise across the continent to the Pacific Coast and re-ship it to Asiatic points at a lesser rate for the whole journey, than the rate on the same commodity from the East to Spokane.

Another statement treated prices on crude and finished iron and steel for the same period, being taken from the Iron Age. The increase was shown to range from 42 to 163 per cent. Ties cost, in 1897, \$7 per 1000 feet, board measure, while today they are quoted at \$12.50 to \$13, and at the latter figure a tie 7 by 9 inches and 8 feet long would cost 54.6 cents laid down in Portland.

Mr. Mears was called to the stand and told of the increased commerce to Pacific Coast ports by way of the Horn. The present fleets, he said, could not handle the trade offered. He bounded the Portland territory as embracing the country to the mouth of the Columbia on the west, a distance of 100 miles on the north, the California line on the south and Huntington on the east.

He stated Spokane and Boise were notorious instances of how the railroads had endeavored to build up the interior and declared advances had

been made to merchants to establishing jobbing houses elsewhere, Walla Walla being one point mentioned.

A. P. Byles, formerly with W. P. Fuller & Co., testified as to the general use of the water route from the Atlantic by the company, and said that with the creation of the Spokane zone a branch house there supplied the territory. T. D. Honeyman, of the Honoyman Hardware Co., L. A. Lewis, of Allen & Lewis; Henry Hahn, of Wadham & Co.; George Lawrence, of the Lawrence Saddle Co., all gave a similar testimony.

STATE RIGHTS.

Minnesota Congressman Expresses New Views.

CHICAGO, April 17.—A plea for the perpetuation of state rights was made last night by Congressman Winfield S. Hammond, of Minnesota, in a talk at the twelfth annual banquet of the Holland Society of Chicago.

Mr. Hammond took a covert rap at President Roosevelt by declaring that "In view of recent events one might be led to believe that the legislative department of the federal government has become well nigh extinct." The speakers subject was "The Sovereign State."

"It is a thing bred in us to have the government as close to us as possible," he said. "When it comes to regulating insurance and child labor, why should we run to Washington the minute anything is wrong. We are becoming a little too paternalistic."

NO BAIL FOR THAW

Jerome to Strenuously Oppose Such Action.

EVELYN REFUSES TO TALK

Will Not Discuss Her Mothers Statement Or Any Of Her Future Plans—Thaw Is Slightly Indisposed At The Tombs.

NEW YORK, April 17.—Although Jerome returned from a visit to his home in Lakeville, Conn., no movement as yet has been made toward application for bail, for Harry Thaw. Daniel O'Reilly of the counsel for Thaw, called on Jerome this afternoon but said the matter of bail was not mentioned.

Jerome reiterated, today that he would continue to oppose in every possible way, the release of Thaw on bail. When questioned regarding the statement of Mrs. Holman, Mrs. Thaw's mother, Jerome said he could not vouch for some of the things stated by Mrs. Holman because he did not know about them. He could, however, give assurance that her statement that she had furnished the District Attorney with no information of use in connection with the Thaw trial. He added that Mrs. Holman never gave them any information.

Harry K. Thaw informed the keepers in the Tombs today that he was ill when Mr. Peabody, of his counsel, called at the prison today. Thaw was still in bed, but on being informed that he could not confer with Mr. Peabody in his cell, he went to the conference room and talked with Mr. Peabody for two hours. At the end of it, Mr. Peabody would make the statement.

Mrs. Evelyn Thaw was asked if she had any reply to make to her mother's statement.

"Not a word on any subject," was her reply.

Clifford W. Hartridge, tonight, after A. Russell Peabody had a talk with Harry Thaw in the Tombs prison, made public the following letter:

"Messrs. Hartridge and Peabody,—Dear Sirs:—Please continue as my news of record. Very sincerely Harry K. Thaw." Hartridge had no comment to make on the letter.

PROBATION JURY FILLED

Is Subject to Peremptory Challenge.

BIGGY DRAWS VENIRE

Expected that Permanent Jury Will Be Complete By End of Month.

GRAND JURY MEETS SATURDAY

Slot Machine Investigation Nearing Close And Will Result In The Indicting Of Several City Officials—City Commissary To Be Abolished.

SAN FRANCISCO, April 17.—After preliminary examinations, adjournments and other delays, examinations in all 22 days, the trial jury panel, subject to the exercise of 15 peremptory challenges, ten by the defense and five by the prosecution, was today completed in the Ruff case. When the trial was resumed this morning, 35 talesmen out of a drawn venire of fifty answered to their names in court. Twenty six of the thirty five escaped serving by satisfying Judge Dunne, that their excuses were valid.

These men were subpoenaed yesterday by Elisor Biggy. It is hoped that the jury will be formed to try the case by the end of the month and that the trial itself will be concluded in two weeks thereafter.

Out of the 9 remaining, 4 tentative jurors were chosen in the course of the day, thus filling the box. The time has now arrived for the peremptory challenging of the jurors and much speculation is indulged in as to whether the entire panel will be set aside, in exercise of this prerogative or whether as many as half of the twelve will survive the final and silent scrutiny of Ruff's prosecutors and defenders. It is thought likely that at least another week will be required for the permanent filling of the panel after the peremptories have been exercised, tomorrow.

The grand jury has adjourned to meet next Saturday afternoon at 2 o'clock. The line of investigation now taken up bears on the slot machine graft of two years ago. This is nearing an end and it is believed it may result in a number of indictments against several city officials. Among the witnesses are a number of ex-police commissioners, members of the police board of 1906.

The day of the so-called city commissary department appear to be numbered. The city attorney has handed down an opinion that the department is illegal and in addition the evidence already secured by the grand jury is, it is said, sufficient to warrant in recommending its abolition. This means that the purchase of supplies for the hospitals and other branches of the municipal services will revert to the old channels and be removed from the control of any political combination.

VOLCANO IN ERUPTION.

VALPARAISO, Chile, April 17.—News has reached here that the Puyehue Volcano in the province of Valdivia, is in violent eruption. The eruptions are accompanied by awful subterranean rumblings, earthquakes, intense darkness, electrical displays, ashes and boiling water. The flowing lava has set fire to the surrounding forests and the inhabitants are fleeing in terror.

NEW SPANISH NAVY.

Several New Warships Will Be Built at Ferrol Arsenal.

MADRID, April 17.—According to the Epoca, an English engineer and a member of an English shipping firm who visited the Minister of marine recently, did so to discuss the leasing of the arsenal at Ferrol. He submitted plans and offered all possible guarantees. The minister said that he would consider the matter.

A report was current in Madrid a month ago that the government had decided to lease the arsenal and that several vessels on the new naval programme would be built there.

The arsenal at Ferrol is one of the most important in Spain. The harbor is considered one of the finest in Europe and is easy of defense. The arsenal and dock yard were founded in the latter part of the eighteenth century by Charles III.

DIED OF STARVATION.

NEW YORK, April 17.—A woman fainted and fell from starvation at the corner of the Bowery and Houston Streets yesterday and a crowd collected and tried to arouse her.

At St. Vincent's hospital the woman recovered sufficiently to tell her name. Annie McDermott, saying that she was fifty years of age, and "had no home, no friends, no money." She died half an hour after arriving at the hospital.

ADVERTISING LIES

Secretary Wilson to Correct Untruths.

FOOD-DRUG MANUFACTURERS

The Ones He Is Striking At—The Manufacturers Not The Government Are The Ones Who Guarantee The Products.

WASHINGTON, April 17.—"If this outrageous misrepresentation does not cease the department will publish a list bearing the names of manufacturers indulging in this campaign of deception."

Secretary Wilson, of the Department of Agriculture made this remark in an authorized statement regarding the fact that there had come to his knowledge information that a number of manufacturers of foods and drugs were freely advertising that the United States government was guaranteeing their products. The Secretary said that the serial number and the guaranty number required by the pure food and drug act to be placed on food and drug products were being used by these manufacturers for this purpose. "The serial number," said Secretary Wilson, "is assigned to fix the responsibility where it belongs—upon the manufacturers—and to protect innocent dealers, who have a right under the law to rely upon his guarantee. It is the guaranty of the manufacturer, not of the government."

The Secretary declared every one would be made by the department to put a stop to the statements, "I will do a little advertising myself," he said, "in behalf of the people. I am growing tired of seeing these untruthful statements on the advertising pages of the magazines, the walls of the New York subway and the advertising spaces of the street cars of the principal cities. Manufacturers who will deceive the public about the guaranty will lie about the quality of the products."

He added that the law would be administered fairly and that no honest manufacturer need fear the Department "Take snap judgment of him or harass him in any way."

BASE BALL SCORES.

SAN FRANCISCO, Portland 2, Oakland 5.

HONORS TO CARNEGIE

Iron Master is Decorated With Cross of

THE LEGION OF HONOR

An Appreciation of His Efforts for Peace and Gifts to the Hague.

PEACE CONGRESS AT AN END

Closed With Large Banquet At Waldorf Astoria And On, At Hotel Astor—Messages Were Received From European Royalty.

NEW YORK, April 17.—The first annual convention of the National Arbitration and Peace Congress ended tonight, after a three day's session with two large banquets, one at the Hotel Astor and the other at the Waldorf Astoria. The event of greatest interest was the decoration of Andrew Carnegie with a cross of the Legion of Honor by the French Government, represented by Baron d'Estournelles de Constant, in appreciation of his work for peace and his gift of the Palace at the Hague. Carnegie, who is the President of the Congress, tonight gave out the statement as to the results of Congress. Although not so designated by Carnegie the statement constitutes a reply to some suggestions contained in the letter which President Roosevelt addressed to the Congress on the opening day.

About 600 guests were present at the Waldorf Astoria dinner. Seth Low presided and announced several messages from European Royalties and dignitaries. All complimented the peace conference and expressed best wishes for the success of the work. Among the speakers were Baron d'Estournelles de Constant, Professor Hugo Franke, William J. Bryan, Archbishop Ireland and Rev. Dr. Lyman Abbott.

Andrew Carnegie presided over the Hotel Astor dinner. Among speakers was ambassador Bryce, of England, Earl Grey, Governor General of Canada and Ambassador Creel, of Mexico.

BORAH MADE NO APPEAL.

BOISE, Ida., April 18.—Senator Borah is out of town, but his closest friends authorize the statement that he has made no appeal to the President or Attorney General in connection with his indictment on the charge of conspiracy in the alleged timber frauds. His friends are at an entire loss to understand how such a report originated.

THAW BAIL.

Jerome and Thaw Counsel to Confer on Question of Bail.

NEW YORK, April 17.—When District Attorney Jerome returns to his office from Lakeville, Conn., today, it is expected that arrangements will be made for a conference between him and Harry K. Thaw's lawyers with reference to the possibility of having Thaw admitted to bail. The conference will probably be held this morning. It is known that the defendant's family fearing the effect on Thaw's health of the confinement in prison during the long summer months, are most anxious to arrange for his temporary release, and if Mr. Jerome could be persuaded to listen to their pleadings they are willing to give as-

urance that Thaw would be properly cared for and be produced for trial. Lawyer Dennis O'Reilly, said last night that Mrs. Evelyn Thaw had nothing to say in reply to her mother's statement.

EDWARD'S BUSY DAY.

VALETTA, MALTA, Apr. 17.—King Edward, yesterday after reviewing the naval brigade, unveiled a statue of the late Sir Adrian Dingli, an eminent chief justice. The King and queen will leave on Wednesday for Gaeta, whence they will go to Palermo, and finally to Naples. There the King will leave the Royal yacht and the Queen will continue her cruise.

DEADLY ELEVATOR SHAFT.

PASADENA, Cal., April 17.—Mrs. Shipy, a guest at the Elvavra hotel, in this city, was killed yesterday afternoon by falling down an elevator shaft in the hotel building. Mrs. Shipy was the wife of a member of the Great Northern Implement Manufacturing company of Minneapolis.

HERMANN TESTIMONY AT END.

WASHINGTON, April 17.—The last witness was heard today in the Hermann trial and the government finished presenting to court its suggestions regarding the law points involved in the prosecution. The testimony today was unimportant, except to clear up several minor matters.

TO DECIDE MOVES

President Takes Harriman Case Under Personal Supervision.

HARRIMAN CONTROVERSY

Causes President Roosevelt To Be Sure The Case Doesn't Assume The Attitude Of Personal Hostility—Gives Up Vacation To Make Investigation.

CHICAGO, April 17.—A dispatch to the Tribune from Washington says: President Roosevelt proposes to take into his hands the determination as to whether an attempt shall be made to break up the Harriman railroad combination or not and has come to the conclusion that it is his duty to study the case from beginning to end.

The President has been placed on a position of antagonism to Mr. Harriman, and on that account he is particularly desirous that no steps should be taken by any department of the government in such a way as to leave the impression that it was the result of personal hostility on the part of President Roosevelt himself.

To satisfy himself as to the exact situation the President proposes to read all the testimony taken by the Interstate Commerce Commission on the subject. Then he will have a conference with Attorney General Bonaparte, and will ask the head of the Department of Justice to apply to the acts the President submits to him the general law in the case and be particularly laid down by the United States Supreme Court in the Northern Securities case. All this will take time and it will involve an immense amount of personal labor on the part of the President. He may have to give up a good deal of his vacation time to the work, but it will be done sooner or later and when his decision is made he will be satisfied with it, because it will be the result of personal painstaking investigations and not the conclusion of a subordinate arrived at through partial or hurried scrutiny.

CUBA REGULAR ARMY.

HAVANA, April 17.—Opinion here is opposed to the plan of the American general staff to establish a Cuban regular army of 12,000 men to replace the rural guard. It is said that it will be difficult to recruit that number of men.