

SIMS NOT READY TO TAKE UP CASE

Delay of Three Weeks in Investigation of the Alton by Federal Grand Jury.

SOME NEW DEVELOPMENTS

FACTS TO BE SUBMITTED AT WASHINGTON.

Chicago, Sept. 3.—Judge Landis, in the United States district court today, ordered a postponement of the grand jury investigation of the rebating charges against the Chicago & Alton Railroad company until September 24. It was generally believed that when court opened today a letter would be presented from Attorney General Bonaparte setting the question of whether the department of justice intended to prosecute an action against the Chicago & Alton. The company has claimed immunity, asserting that it was promised by former District Attorney Morrison that if it aided the government in good faith, the prosecution of the Standard Oil company that it would be exempt. No such letter was, however, presented in court, either by Judge Landis or by District Attorney Sims, the successor of District Attorney Morrison.

Statement of Mr. Sims.

When the court opened today District Attorney Sims said: "I am here, if the court please, in the matter of the grand jury investigation, and in that matter I have to ask the court—or I wish to make a motion for a postponement of the court made at the time of the convening of the present grand jury. The facts and circumstances in connection with the matter under investigation have been submitted to the department and I had expected to have been able to report to the court this morning its views and findings. Very recently, however, a situation has arisen which, in my judgment, makes it highly desirable that I have time to submit to the department certain facts and circumstances in addition to those already submitted.

Knows Something Important.

"For these reasons I request that further action in the matter be postponed for three or four weeks. I regret the necessity for asking the court for this postponement, but it seems to be, in view of what I know in connection with the case, to be unavoidable. "Is the grand jury present?" asked Judge Landis. "How much time do you want?" "I think not less than three weeks. It seems to me highly desirable that when the matter is again brought before the court to take definite action on it. Three weeks from today will be the 24th."

Delay of Three Weeks.

"You may inform the grand jury," said Judge Landis, "that they are at liberty to take a recess until 10 o'clock on the morning of September 24." After leaving the court room District Attorney Sims declared that he intended to submit certain facts to the attorney general, and said they had risen within a few hours. He said that he would have to go to Washington within short time to present personally to the attorney general his reasons for asking the postponement.

LUMBER TRUST SHOWS ITS HAND

Continued from Page 1.

of water power, and all the related questions of irrigation, reclamation, forestry, soil treatments, etc. Their action would not be spasmodic and disjointed, as has been the action of congress upon these subjects; but great and comprehensive plans could be inaugurated, which they could gradually work within the limits of the fund created by congressional action.

Whole Country Interested.

"The people of the United States are awakening to the necessity of utilizing the national power for the promotion of the general welfare. We have nationalized banking and currency because we realized the folly of having as many different financial systems as there were states; the danger of inflation and panic arising from careless and inconsiderate state action. We nationalized irrigation because we saw the futility of subjecting the treatment of the sources, the water sheds and valleys, of streams flowing through several states, to the localized action of the individual states. We realized that every great river must be treated as a unit, regardless of the state lines, and that the action of the union on national lines was therefore essential. We nationalized the quarantine because we realized that the health and safety of the entire nation might be endangered by the carelessness or the indifference of a single state. We are now taking up the question of nationalizing the development of the inland waterways embracing lakes and rivers and connecting canals, and including all the related questions of forestry, of irrigation, of clarification, of bank protection, of channel opening, as well as navigation and the south in the latter movement, is taking the lead for national action, realizing, as it does, that the promotion of interstate and foreign commerce was one of the primary causes of the union of the states as a nation. "The demand for national action as to water transportation will include national action regarding railway transportation, and will necessitate the creation by

WIFE DESERTS AGED MAN WHEN INJURY PUTS AN END TO EARNING POWER

George W. Jewett, the aged man who keeps a news stand in front of the post office, broke down and cried in Judge Morse's court yesterday morning while telling the story of how his wife deserted him when he became a cripple for life from an injury received in the railroad wreck that was several minutes before he could compose himself sufficiently to go on with his story. "My wife ordered me to the poorhouse," he wept, his voice trembling with emotion, "as soon as she found out I could not work any more."

Jewett was a car inspector in the mercantile with an address. His oratory was like the flow of a river and his word pictures delighted the thousands of men and women who listened to him. Two resolutions introduced by Matthew Daugherty of Utah and W. A. McAllister were read and referred to the committee. Daugherty's resolution provides for the leasing of irrigable lands while McAllister's looked to the direction and regulation of emigration towards irrigable lands.

Fair Play Demanded.

When the close of the program was reached at the afternoon session it was announced that George Otis Smith of the geological survey had not arrived in time to attend the conference. It is pointed out that he is a delegate and should be heard to address the congress. White Smith arose and said he did not think an original view on the subject of reclamation and forestry, but that it was not a question of what, but of how. He said the congress had only heard from one side.

Must Be Recognized.

"We cannot take a broad view of the powers of the national government as related to carriers by water and railroads to recognize these powers as relating to carriers by rail. Transportation is a national question. The common carriers engaged in interstate and foreign commerce must be national agents. The laws creating them must be the laws of the nation. The regulations which control them must be the regulations of the nation."

Attack on Roosevelt.

He said the people could not be properly represented in the irrigation congress if men of practical experience did not have more voice. Referring to the remark of Pinchot, the Inyo county man said he was afraid to stand forth in the interests of the poorer classes as shown by the statement that they do not want to gain the opposition of the federal government. He said that five-fifths of the timber in the United States, Smith then turned his attention to President Roosevelt.

Applause for Newlands.

Many of the sentiments expressed by Senator Newlands were warmly applauded, especially his references to trusts and monopolies. After the Newlands address, the following telegram sent to President Roosevelt at the request of the congress was read:

"Your splendid message, read by Hon. Gifford Pinchot, is deeply appreciated by the members of the fifth annual irrigation congress and is amply directed by unanimous and enthusiastic vote to extend you the thanks of the congress. The congress meets under most favorable auspices, with the largest and most representative attendance in the history of irrigation congresses and promises to be of great value to the country as a factor in the wise development of our splendid resources of forest lands and water."

First Sign of Trouble.

Following the address of Mr. Pinchot, the first excitement of the congress developed when Judge John E. Baker moved that it be the sense of the gathering that all duties on timber be repealed; that the timber of this country be preserved to the largest extent possible, by allowing other countries to ship their lumber in. In Utah interrupted by seeking to ask Pinchot a question under the tentative rule, providing for such matters. Delegates from Fresno, Inyo county, California, at once rose in his favor with a second to the motion of Judge Baker. There were at once objections that under the adoption of a motion early in the session, such motions were sent direct to the committee on resolutions.

Pinchot Afraid to Say.

In view of the fact that Pinchot asserted that within thirty years the timber supply of the country would be exhausted without steps being taken for protection. John Peters of the Fresno National, the chief forester if he is in favor of admitting lumber free into this country. Pinchot replied that he had always deemed it wise to decline to take a public position on the matter, because if the forest service had declared in favor of it would have the united opposition of the interests that control four-fifths of the timber of the country and upon whose care of its own resources depends the mitigation of the timber famine. While Pinchot declined to take any but a neutral public stand, it is stated that if (Fairweather) would meet him "behind the barn" he would tell him what he really thought of the matter. W. A. Williams of Oregon caused much

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FISHER HARRIS IS STRICKEN

His Serious Illness Handicaps Preparations for Dry Farming Congress. Fisher Harris is seriously ill and unable to attend to his duties as secretary of the Commercial club, and as president of the Trans-Missouri Dry Farming congress, which is scheduled to hold its second annual convention next month. The preparations for this convention involve an immense amount of correspondence and other work which only Mr. Harris could do.

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Services Will Be Held at Home of Sister Today at 2 O'clock. Funeral services in connection with the death of Elias A. Matthews will be held today at 2 o'clock at the home of his sister, Mrs. O. J. Hollister, 143 South Seventh East. The body was taken to the Carlisle, Ind., for burial, and will be accompanied by Mrs. Hollister. Mr. Matthews was the half-brother of Vice President Schuyler Cox and Cox's brother-in-law of the late Colonel Hollister. Mr. Matthews had been a resident of Utah since the time of the Utah-Idaho road, and was associated with Colonel Hollister in business. During the last ten or twelve years, however, his health has been so seriously impaired that he took but little part in a prominent way in the affairs of which earlier he had given his attention.

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